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CHARTERS AND OTHER WRITS

OF THE

ROYAL BURGH OF ABERDEEN

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No. 153

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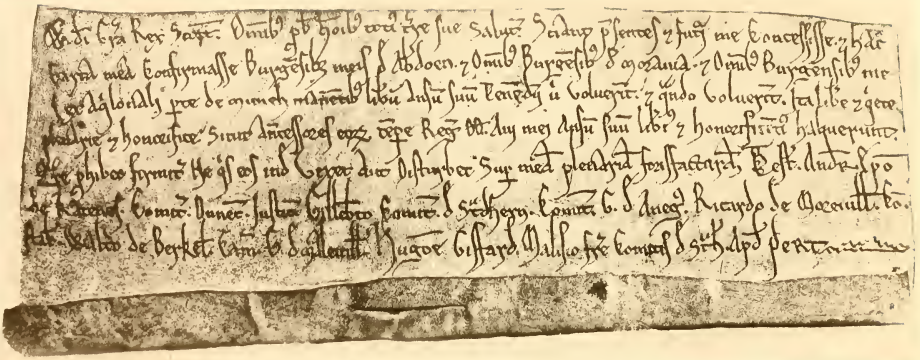

KING WILLIAM THE LION'S FIRST CHARTER TO THE
BURGESSES OF ABERDEEN

Charters and other Writs

ILLUSTRATING THE HISTORY

OF THE

Royal Burgh of Aberdeen

MCLXXI—MDCCCIV

EDITED, WITH TRANSLATIONS, BY

PETER JOHN ANDERSON, M.A., LL.B.

ABERDEEN

Printed by Order of the Lord Provost, Magistrates, and Town Council

MDCCCXC

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PREFACE.

A selection, without translations, from the charters of the burgh of Aberdeen, was printed by the Spalding Club in 1842; but this contribution to Scottish municipal history remained without a companion for twenty-nine years. In 1871 the Burgh Records Society issued a volume of charters and other documents relating to the city of Edinburgh, and in 1872 a similar volume dealing with the burgh of Peebles. In 1880 and in 1884, the charters of Dundee and of Stirling were printed for the corporations of these burghs; and in 1883 the Ayr charters were edited for the Ayrshire and Galloway Archæological Association. Apart from a privately printed pamphlet containing translations of the Cupar charters, no other volumes of like character have hitherto appeared in Scotland; but the charters of Glasgow and of Irvine are understood to be in the press.

The volume now issued is the outcome of a report prepared by the editor at the request of the Law Committee of the Town Council of Aberdeen, and embodying four recommendations:—

1st. That the manuscript Chartulary of the Church of St. Nicholas, in the possession of the Council, should be printed. This has been done at the expense of the New Spalding Club.

2nd. That the volumes of letters in the town's archives should be calendared. This undertaking has been approved by the same Club, and its execution entrusted to Mr. A. M. Munro.

3rd. That the town's charters should be printed with translations.

4th. That the Town Council Register, 1398—1884, should be fully indexed.*

The documents that it has been thought desirable to print have been arranged in three groups.

Part I. Fifty-four crown charters and letters patent—from William the Lion's recognition of the burghal status of Aberdeen, down to George III.'s concession of the fishings adjacent to the burgh lands in Kincardineshire. This series of writs is unusually complete and historically interesting, including, as it does, two grants by William, one by Alexander II., two by Alexander III., six by Robert I., two by David II., one by Robert II., one by Robert III., one by James I., four by James II., two by James III., four by James IV., two by James V., three by Mary, thirteen by James VI., four by Charles I., three by Charles II., and one each by Anne, George II., and George III.

Part II. Forty-four Acts of the Scottish Parliament and Privy Council, from the appointment of a circuit court to sit at Aberdeen on the 15th June, 1458, down to the renewal of certain excise dues on the 25th March, 1707. Appended to this is a list of the titles of the principal Acts affecting the burgh, of date subsequent to the Union.

* v. *infra*. p. 407, footnote.

Part III. Twenty-five miscellaneous writs, 1287—1696. The more important of these are the deed of homage by the community to Edward I. (1296); the obligations entered into by the burgh for the ransom of David II. (1357), and of James I. (1424); the earliest extant accounts of the burgh fermes and customs (1328), and the first tax roll of the citizens (1408); the resignations to the burgh of their properties by the Gray Friars (1559) and by the chaplains of St. Nicholas (1575); the earliest narratives of perambulations of the outer marches (1578) and of the inner marches (1696); the deeds constituting the provost and baillies, admirals depute between Dee and Don (1617), and keepers of the Tron (1617) and of the Cran (1629); the endowment of the Grammar School by Dr. Patrick Dun (1631); and the charters erecting Old Aberdeen (1489) and Torry (1495) into burghs of barony.

A fourth part has been devoted to Inventories of Records, illustrating the history of the burgh, and under the charge of the Town Clerk, the Sheriff Clerk, and the Registrar General respectively. Though Aberdeen has been fortunate in having its archives subjected to examination by antiquaries so laborious as Kennedy, so accurate as John Stuart and Joseph Robertson; though many volumes have been devoted by the two Spalding Clubs, and by the Burgh Records Society, to the printing of its annals, municipal, ecclesiastical, educational; yet the amount of material that still remains for the future burgh historian to explore, is truly astonishing. The four published volumes of Selections from the Council Register give, probably, not one-thirtieth of the matter in the manuscript minutes of the period; while the eighty-five volumes of the Burgh Register of

Sasines (1484—1800); the sixty-two volumes of the County Register (1599—1800); the eighty volumes of Sheriff Court Diet books (1503—1800), and Decree books (1597—1800); the forty-nine volumes of Deeds registered in the Burgh Court (1569—1710), and in the Sheriff Court (1606—1766); the Accounts, from the sixteenth century, of the Kirk and Bridge Works, and of the Shore Works; the Baillie Court books; the Propinquity books; the collection of letters—are as yet practically unworked.

The history of Aberdeen has been often attempted: its revision is understood to be now in progress in competent hands. The present volume is intended to serve but as a contribution of material; and hence it would be out of place in the preface to attempt to weave a continuous story from the disconnected threads of these charters and acts. Even a recapitulation of their contents is rendered unnecessary by the ample Table subjoined.

Some reference to one matter has been promised in a footnote (p. 3)—the dates of the three earliest charters. The insertion of a date, by year, was not practised in the time of William the Lion; the regnal year begins to appear under his successor; the *annus domini* not until the reign of the first James. In the absence of more conclusive internal evidence, limits between which the date of a charter must lie, may be deduced from the names of the witnesses. Thus the charter by William, printed on page 3, must have been written when Gilbert was Earl of Strathearn, *i.e.*, not before 1171, and when Andrew was Bishop of Caithness, *i.e.*, not after 1185: this is certainty. It is sealed at Perth, and hence Kennedy thinks it was granted by William in 1179, when advancing to Ross with an army to quell disturbances: this is conjecture.

William's second charter, in like manner, comes during the period 1187—1203, when Richard was Bishop of Moray. It is sealed at Aberdeen, and hence Kennedy suggests the year 1196, when the King made a second progress northward to suppress an insurrection in Caithness. The charter of Alexander II. must of course date after the accession of that monarch in 1214, and not later than 1222, when the widow of Walter Lindesay married a second time.

The editor has a pleasant duty to perform in acknowledging the co-operation of Mr. A. M. Munro, of the City Chamberlain's Office. All the documents from the burgh archives were transcribed for the press by Mr. Munro, with an accuracy that could not be surpassed: all the proof sheets have been read by him. But the mere work of transcription or of proof reading is but a part of his contribution towards the preparation of the volume. His familiarity with the contents of the Burgh Charter Room made comparatively easy the task of selection; and his intimate knowledge of the municipal history of Aberdeen —a knowledge always at the service of every enquirer—proved of the utmost use in elucidating many obscure points in the earlier deeds. The copious index is entirely due to Mr. Munro.

The editor wishes also to express his sense of the obligation under which he lies, for several suggestions, to Dr. Thomas Dickson, of H.M. General Register House, Edinburgh.

P. J. A.

ABERDEEN, *May, 1890.*

TABLE OF CONTENTS.

PART FIRST.

CROWN CHARTERS AND LETTERS PATENT.

PAGE

I.—Charter by King William the Lion, granting to his burgesses of Aberdeen, and to all the burgesses of Moray, and to all his burgesses north of the Munth, their free Hanse as held by their ancestors in the time of his grandfather, King David. Perth, *circa* 1171-85, - 3

Original in Burgh Charter Room, A[1] 1.
Seal wanting.

II.—Charter by King William the Lion, declaring his burgesses of Aberdeen free from the payment of toll on their own goods throughout his whole kingdom, in return for the good service rendered to him by the same burgesses. Aberdeen, *circa* 1187-1203, - - - 4

Original in Burgh Charter Room, A[1] 2.
Seal as in Laing's *Scottish Seals*, Vol. I., No. 9.

III.—Charter by King Alexander II., granting to the burgh and burgesses of Aberdeen the rights and privileges granted by his predecessors to the burgh and burgesses of Perth: that a weekly market shall be held; that no stranger merchants shall traffic within the sheriffdom outwith the burgh, or sell cloth in the market save from Ascension Day to Lammas; that the burgesses, excluding waulkers and weavers, shall have a merchant guild, the members of which alone shall make cloth dyed or shorn within the sheriffdom; that no stranger shall traffic in hides or wool within the burgh—all these rights without prejudice to privileges formerly granted to other burghs within the bailiwick of Aberdeen. Alyth, *circa* 1214-22, - 5

Original in Burgh Charter Room, A[1] 4.
Seal wanting.

PAGE

IV.—Charter by King Alexander III., granting to his burgesses of Aberdeen the right to hold a yearly fair, to last for two weeks from the day of the Holy Trinity, with all privileges pertaining to fairs held in other burghs. Kintore, 2nd December, 1273, - - - - - 8

Original in Burgh Charter Room, A¹ 5.
Seal a fragment.

V.—Letters by King Alexander III., declaring that he has taken under his sure peace and protection his burgesses of Aberdeen, their lands, men, and entire possessions; and that no one shall poind their goods save for their own proper debts, cautions, or fines. Kincardine, 27th January, 1278, - - - - - - - - - - 9

Original in Burgh Charter Room, A¹ 6.
Seal a fragment.

VI.—Charter by King Robert I., under his seal, granting to his burgesses of Aberdeen the custody of his forest of the Stocket, with all privileges save the greenwood and the right of hunting; with freedom from interference by any one save his own person and his Chamberlain. Dundee, 24th October, 1313, - - - - - - 10

Original in Burgh Charter Room, A¹ 9.
Seal a fragment.

VII.—Charter by King Robert I., under his seal, granting to his burgesses of Aberdeen the right to hold a yearly fair, to last for two weeks from Low Sunday, instead of from the feast of the Holy Trinity (*v.* No. IV.). Berwick, 8th December, 1319, - - - - - - 11

Original in Burgh Charter Room, A¹ 10.
Seal a fragment.

VIII.—Charter by King Robert I., under his seal, granting in feu to the burgesses and community of Aberdeen his said burgh and the forest of the Stocket, to be held for ever in fee and heritage and free burgage, with the mills, waters, fishings, petty customs, tolls, comts, weights, measures, and all other privileges pertaining to the same; for a yearly payment of £213 6s. 8d. sterling [*cf.* Pt. II., No. XXI.] to his Chamberlain's office at the usual terms: granting also liberty to the saids burgesses to cultivate, erect building, dig fuel and exercise all other privileges on the fields, plains, etc., of the said forest next to the burgh and outwith the wood of the Stocket, excepting the greenwood and game to be found casually in the said forest: with freedom from interference by any Justiciary or other person save the

PAGE

King's Chamberlain, in the keeping of the said forest, or any defaults committed therein; and ordaining that every one convicted of destroying the greenwood or game shall suffer in his own person only. Berwick, 10th December, 1319, - - - - - - - 12

Original in Burgh Charter Room, A^1 11.
Seal wanting.
Cf. Robertson's *Index of Missing Charters*, p. 2, No. 42.

IX.—Charter by King Robert I., under his seal, declaring his burgesses of Aberdeen free from the payment of duty upon ale and upon red fish and white fish as soon as Walter of Berkelay shall cease to be sheriff of Aberdeen. Loch Leven, 25th September, 1323, - - 14

Original in Burgh Charter Room, A^1 12.
Seal a fragment.

X.—Letters patent by King Robert I., granting to his burgesses of Aberdeen all the privileges in which they were formerly infeft; freeing them from all exactions outwith the burgh; and giving them power to punish all who carry arms in the said burgh. Girvan in Carrick, 6th February, $13\frac{29}{30}$, - - - - - - - - - - 15

Original in Burgh Charter Room, A^1 13.
Seal a fragment.

XI.—Letters patent by King Robert I., granting to his burgesses of Aberdeen *ut supra*; and freeing them from all exactions outwith or within the burgh. Inchmichell, 10th March, $13\frac{29}{30}$, - - - - - 16

Original in Burgh Charter Room, A^1 14.
Seal a fragment.
King Robert I. seems to have also granted a charter "to the Burgh of Aberdeen anent their fishing". Robertson's *Index of Missing Charters*, p. 16, No. 31.

XII.—Charter by King David II., confirming to his burgesses of Aberdeen all the privileges in which they were formerly infeft, without prejudice from the subversion of their privileges endured by them during the late war. Aberdeen, 21st February, $13\frac{2}{3}$, - - - - - - 17

Original in Burgh Charter Room, A^1 15.
Seal wanting.
Cf. Robertson's *Index of Missing Charters*, p. 58, No. 10².

XIII.—Letters patent by King David II., remitting to the burgesses of Aberdeen all ill-will which he has or can have against them; and

PAGE

all actions which can be brought at his instance against them. Edinburgh, 1st July, 1345, - - - - - - - - - - 18

Original in Burgh Charter Room, A[1] 16.
Seal a fragment.

XIV.—Charter by King Robert II., under his seal, granting in fee and heritage in free burgage to his burgesses of Aberdeen, for a yearly payment of one silver penny, the whole land of the tenement of Rubislaw, resigned by Andrew de Inchesthur ; to be held as the said burgesses hold the burhg of Aberdeen. Kindrocht in Mar, 20th August, 1379, - - - - - - - - - - - - 19

Original in Burgh Charter Room, A[1] 23.
Seal as in Laing, I., 33, but much mutilated.

XV.—Charter by King Robert III., under his seal, granting licence to the burgesses and community of Aberdeen to build a townhouse anywhere within the burgh save in the midst of the market place. Perth, 20th October, 1393, - - - - - - - - - - - 21

Original in Burgh Charter Room, A[1] 24.
Seal as in Laing, I. 37.

XVI.—Obligation by King James I., under his seal, binding himself in the sum of 50,000 merks to the provosts, baillies and communities of Edinburgh, Perth, Dundee and Aberdeen, payment of which sum to Henry King of England had been undertaken by them for their sovereign's ransom (Pt. III., No. XI.). Durham, 26th March, 1424, 22

Original in Burgh Charter Room, A[1] 25.
Seal (Privy) as in Laing, I. 43.

XVII.—Letters by King James II., under the great seal, granting the abolition of customs on English goods imported at Perth or northward therefrom (except the customs on cloths, 32d. on each chalder of victuals, and 2s. on each barrel of salmon), and on fish in any part of his kingdom : this relief to continue till his majority and thereafter during pleasure. Edinburgh, 30th July, 1446, - - - - 24

Original in Burgh Charter Room, A[1] 26.
Seal wanting.

XVIII.—Charter by King James II., under the great seal, granting to his merchants, burgesses and community of Aberdeen, in return for gratuitous services rendered to him, to be for ever free from customs on salt and skins ; and to have power to traffic in such goods with strangers and others without and within the kingdom, no custom

PAGE

being paid save the petty custom due by strangers. Stirling, 6th December, 1452, - - - - - - - - - - - - - 25

Original in Burgh Charter Room, A[1] 27.
Seal a fragment.

XIX.—Letters by King James II., under the great seal, altering the beginning of the Aberdeen yearly fair from the feast of the Holy Trinity (*v.* No. IV.) and Low Sunday (*v.* No. VII.) to the feast of St. Michael de Monte Tumba (16th October). Edinburgh, 26th March, 1458, - 27

Original in Burgh Charter Room, A[1] 28.
Seal wanting.

XX.—Letters by King James II., under the great seal, empowering the provost, baillies and burgesses of Aberdeen to escheat wool, skins and hides exported outwith the sheriffdom of Aberdeen without payment of the great custom: one half of the escheat to go to the burgesses and the other half to the exchequer. Edinburgh, 9th October, 1458, - - - - - - - - - - - - 29

Original in Burgh Charter Room, A[1] 29.
Seal as in Laing, I. 45.
Cf. Registrum Magni Sigilli, lib. v., No. 110 (Print, Vol. II., p. 139).

XXI.—Charter by King James III., under the great seal, granting in fee and heritage to his provost, baillies, councillors and community of Aberdeen, the lands of Cruives, resigned by John Bannerman of Elsick. Stirling, 26th October, 1465, - - - - - - - 30

Original in Burgh Charter Room, A[1] 33.
Seal wanting.
Cf. Registrum Magni Sigilli, lib. vi., No. 48 (Print, Vol. II., p. 181).

XXII.—Charter by King James III., under the great seal, granting to his provost, baillies, councillors and community of Aberdeen, in return for gratuitous services rendered to him, to be for ever free from customs upon salmon caught in the rivers of Dee and Don: excepting the customs due by strangers and unfreemen. Edinburgh, 10th December, 1482, - - - - - - - - - - - - 33

Original in Burgh Charter Chest, A[1] 35.
Seal as in Laing, I. 50.
Cf. Registrum Magni Sigilli, lib. x., No. 39 (Print, Vol. II., p. 320).

XXIII.—Letters by King James IV., under the great seal, confirming a decreet of the Lords of Council (19th June, 1494) in an action at the instance of Andrew Wod and his Majesty's Advocate, against the alderman, baillies and community of Aberdeen, which found that

PAGE

the Stocket, Castlehill, and divers other places belonged to the defenders in virtue of a charter by King Robert I. (No. VIII.). Edinburgh, 20th June, 1494, - - - - - - - - - - 35

Original in Burgh Charter Room, A^1 37.
Seal wanting.

XXIV.—Letters by King James IV., under the great seal, confirming the privileges granted by his grandfather in 1458 (No. XX.). Arbroath, 11th December, 1495, - - - - - - - - - - - 36

Original in Burgh Charter Room, A^1 39.
Seal wanting.

XXV.—Letters by King James IV., under the great seal, confirming the privileges granted by him in 1495 (No. XXIV.), and extending like privileges to victual. Edinburgh, 17th August, 1511, - - - - 38

Original in Burgh Charter Room, A^2 2.
Seal as in Laing, I. 51.
Cf. Registrum Magni Sigilli, lib. xvii., No. 116 (Print, Vol. II., p. 782); and Registrum Secreti Sigilli, lib. iv., f. 142.

XXVI.—Letters by King James IV., under the great seal, confirming a Decreet Arbitral of the Lords of Council (24th January, $151\frac{1}{2}$), assigning to the provost and baillies of Aberdeen jurisdiction for offences committed by burgesses and freemen, and to the Sheriff jurisdiction for offences committed by others. Edinburgh, 28th January, $151\frac{1}{2}$, - - - - - - - - - - - - 41

Original in Burgh Charter Room, A^2 1.
Seal wanting.

XXVII.—Letters patent by King James V., under the great seal, remitting to the provost, baillies, community, burgesses paying scot and lot, and their servants residing within the burgh of Aberdeen, and the inhabitants thereof, all ill-will which he has or can have against them for absenting themselves from his armies, and for all former treasons. Aberdeen, 7th February, $152\frac{7}{8}$, - - - - - - - - 43

Original in Burgh Charter Room, A^2 6.
Seal not corresponding exactly to Laing, I. 56.
Cf. Registrum Secreti Sigilli, lib. ix., f. 25.

XXVIII.—Letters by King James V., under the privy seal, empowering the provost, baillies, council and community of Aberdeen to fortify the burgh. Edinburgh, 3rd September, 1529, - - - - - - 45

Original in Burgh Charter Room, A^2 7.
Seal not given by Laing.
Cf. Registrum Secreti Sigilli, lib. viii., f. 88.

PAGE

XXIX.—Letters by Queen Mary, under the privy seal, granting to the provost, baillies, council, burgesses and community of Aberdeen, for the space of thirteen years, exemption from all customs (which David Wod of the Crag, Comptroller to King James V., had wrongously compelled them to pay in despite of King James III.'s charter, No. XXII.), save two shillings per barrel, on salmon taken in Don or Dee. Edinburgh, 12th August, 1543, - - - - - - 46

Original in Burgh Charter Room, A² 13.
Seal as in Laing, I. 65.
Cf. Registrum Secreti Sigilli, lib. xvii., f. 89.

XXX.—Letters by Queen Mary, under the great seal, empowering the provost, baillies, council and community of Aberdeen, and a majority of their fellow citizens, to feu under certain conditions the freedom lands of the burgh, and the fishings in Dee and Don. Edinburgh, 8th February, $155\frac{1}{2}$, - - - - - - - - - 48

Original not extant.
Copies engrossed in A² 15 and A³ 22.
Cf. Registrum Magni Sigilli, lib. xxx., No. 737 (Print, Vol. IV., p. 150); and Registrum Secreti Sigilli, lib. xxiv., f. 124.

XXXI.—Charter by Queen Mary, under the great seal, confirming a charter of date 12th September, 1553, by the provost, baillies, council and community of Aberdeen, granting to various persons the fishings of Dee and Don in feufarm or hereditary emphyteusis and in free burgage. Edinburgh, 15th September, 1553, - - - - - 52

Original in Burgh Charter Room, A² 17.
Seal wanting.
Cf. Registrum Magni Sigilli, lib. xxxi., No. 206 (Print, Vol. IV., p. 188); and Registrum Secreti Sigilli, lib. xxvi., f. 11).

XXXII.—Charter by King James VI., under the great seal, granting to the provost, baillies, council and community of Aberdeen the habitation of the Minor Friars of the burgh to be converted into an hospital for the poor, maimed, impotent and orphans. Edinburgh, 30th December, 1567, - - - - - - - - - - - - 68

Original in Burgh Charter Room, A² 19.
Seal as in Laing, I. 67, a fragment.
Cf. Registrum Secreti Sigilli, lib. xxxvii., f. 24.

XXXIII.—Charter by King James VI., under the great seal, granting to the provost, baillies, council and community of Aberdeen all the possessions of the Black Friars and of the White Friars of the burgh, and

PAGE

all property within the burgh belonging to any other ecclesiastical bodies, to be applied to the support of a Poor's Hospital, Gymnasia, and other pious uses. Stirling, 26th October, 1583, - - - - 71

Original in Burgh Charter Room, A² 27.
Seal wanting.
Cf. Registrum Magni Sigilli, lib. xxxv., No. 763 (Print, Vol. V., p. 189); and Registrum Secreti Sigilli, lib. xlix., f. 172.

XXXIV.—Charter by King James VI., confirming a grant by Bishop Gavin Dunbar of the lands of Ardlair for the support of the Bridge of Dee. Holyroodhouse, 12th May, 1587, - - - - - - - - - 81

Copy in Burgh Charter Room, C (Church, Miscellanea), 1².
Cf. Registrum Magni Sigilli, lib. xxxvii., No. 168 (Print, Vol. V., p. 406).

XXXV.—Signature by King James VI., after his Revocation, for a charter to confirm the charter of 30th December, 1567 (No. XXXII.). 1587, - - - - - - - - - - - - - - 88

Original in Burgh Charter Room, A² 37.

XXXVI.—Letters by King James VI, under the privy seal, ordaining the members of the town council of Aberdeen to be elected yearly, but to continue in office till their decease, or till found guilty of any fault or crime. Falkland, 20th July, 1591, - - - - - - - 90

Original in Burgh Charter Room, A² 38.
Seal as in Laing, I. 69.
Cf. Registrum Secreti Sigilli, lib. lxii., f. 19.

XXXVII.—Letters by King James VI., under the privy seal, exempting the provost, baillies, council and community of Aberdeen from attendance, save on the King in the field or on his lieutenants against foreign enemies, and from inquests or assizes, save upon crimes committed within the burgh or freedom or two miles round. Dalkeith, 16th May, 1592, - - - - - - - - - - 92

Original in Burgh Charter Room, A² 39.
Seal as in Laing, I. 69, a fragment.
Cf. Registrum Secreti Sigilli, lib. lxiii., ff. 263, 216.

XXXVIII.—Licence by King James VI., under the signet, to the provost, baillies, council and community to remain at home from the army passing northward through the burgh. Aberdeen, 23rd October, 1594, - - - - - - - - - - - - - - 94

Original in Burgh Charter Room, A² 49.

XXXIX.—Letters by King James VI., under the privy seal, empowering the provost, baillies, council and community of Aberdeen to feu

PAGE

part of a road between the western dyke of the Church and the Sow croft. Holyroodhouse, 17th March, $159\frac{4}{5}$, - - - - - - 95

Original in Burgh Charter Room, A^2 43.
Seal as in Laing, I. 69.

XL.—Letters by King James VI., under the privy seal, granting to the provost, baillies, council and community of Aberdeen certain dues upon goods and shipping within the harbour for five years for reparation of the Bulwark. Dunfermline, 8th August, 1596, - 97

Original in Burgh Charter Room, A^2 52.
Seal as in Laing, I. 69.
Cf. Registrum Secreti Sigilli, lib. lxviii., f. 203.

XLI.—Letters by King James VI., under the signet, granting to the provost, baillies, council and community of Aberdeen, exemption from attending the army at Dumfries. Holyroodhouse, 18th March, $159\frac{7}{8}$, - 99

Original in Burgh Charter Room, A^2 54.
Sealed with the signet, not given by Laing.

XLII.—Charter by King James VI., under the great seal, confirming :—

Charter by King Alexander II., - - *Supra* No. III.
Charter by King David II., - - ,, No. XII.
Letters by King James IV., - - ,, No. XXVI.
Letters by Queen Mary, - - - ,, No. XXX.
Feu-charter by provost, baillies, etc., of Aberdeen : confirmed by, - - ,, No. XXXI.
Charter by himself, - - - - ,, No. XXXIII.

of new erecting the said burgh into a free royal burgh ; granting the whole lands of the forest of Stocket and wood thereof according to the limits occupied and defined in the annual ridings of the marches, the waters of Dee and Don and fishings therein as then enjoyed, the two mills within and the two mills without the said burgh with the multures and sequels thereof, the castle hill, the green meadow under the city called Futtie, the port and pier of Aberdeen, anchorages and duties thereof, the bell and toll customs used and wont, with courts, weights, measures, and all privileges and immunities pertaining to the said burgh ; granting also power of holding free markets and market days within the said burgh, and of buying and selling all kinds of merchandise thereat, of erecting more grain and wind mills within the said burgh, freedom and territory thereof, and of feuing out those parts of the freedom lands

PAGE

hitherto unfeued; granting also all feuduties, altarages, chaplainries, lands and fishings formerly belonging to the chaplains of St. Nicholas, and as great privileges, liberties and immunities as have at any time been granted to Edinburgh, Perth, Dundee, or any other burgh within the kingdom: To be held all and whole "in unum liberum burgum regalem": Paying yearly £213 6s. 8d. Scots and 20s. of augmentation: The King promising, on the word of a prince, to have this charter ratified in his next parliament with advice of the three estates. Falkland, 14th August, 1601, - - - - - - 100

Original in Burgh Charter Room, A² 60.
Seal wanting.
Cf. Registrum Magni Sigilli., lib. xliii., No. 170; and Registrum Secreti Sigilli, lib. lxxii., f. 26.

XLIII.—Charter by King James VI., under the great seal, homologating an Act of the Scots Parliament of date 28th June, 1617 (Pt. II., No. XXI.), which reduced the annual feuduty of £213 6s. 8d. from Sterling to Scots money; confirming:—

Charter by King Alexander II., - -	*Supra* No. III.
Charter by King David II., - -	,, No. XII.
Letters by King James IV., - -	,, No. XXVI.
Letters by Queen Mary, - - -	,, No. XXX.
Feu-charter by provost, baillies, etc., of Aberdeen: confirmed by, - -	,, No. XXXI.
Charter by King Robert II., - -	,, No. XIV.
Charter by King James III., - -	,, No. XXI.
Gift by umquhile King James, under his privy seal, dated at Perth, 4th February, in the twenty-fifth year of his reign, - - - - -	Not found. *v.* p. 119, note.
Decreet Arbitral between guild burgesses and craftsmen of Aberdeen, -	Pt. III., No. XVIII.
Letters by himself, - - - -	*Supra* No. XXXVI.
Licence by himself, - - - -	,, No. XXXIX.
Charter by himself, - - - -	,, No. XXXIII.
Charter by himself, - - - -	,, No. XLII.

of new erecting the said burgh with all its crofts and acres, the forest of Stocket, the lands of Rubislaw and Cruives, the fishings on Dee and Don, ferry-boats, mills with multures and sequels, suburb called

PAGE

Futtie with boats and white-fishings, port and pier of Aberdeen, power of lading and unlading ships on both sides of Dee and Don and of levying all petty customs and anchorage dues thereon; bell, toll and petty customs, tron weights and measures; power of holding courts within the said burgh and freedom, and of punishing and fining within the freedom harbour and flood-mark; power of merchandise throughout the shire and of having a merchant guild and two weekly markets on Wednesdays and Saturdays; power of erecting more mills within the freedom, and of feuing out those parts thereof hitherto unfeued; prohibiting all other parties from merchandising or usurping the power of a free burgh within the said shire; granting also power to the provost and baillies to make and publish acts and regulations concerning the maintenance of their privileges within the said freedom and shire; granting also the annual rents of the chaplainries of St. Nicholas, the habitation of the Grey Friars, the common loch, the Woolmanhill, Playfield, St. Catharine's Hall, Hedon's Hill and Gallow Hills, with the Links from Dee to Don, and with as great privileges as are possessed by Edinburgh, Perth, Dundee or any other royal burgh in the kingdom; and uniting and incorporating the whole with the said burgh of Aberdeen; to be held for ever in free heritage and free burgage, for a yearly payment of £213 6s. 8d. Scots with an augmentation of 20s. Falkland, 17th July, 1617, - - - - - - - - - - - - - - 110

Original in Burgh Charter Room, A^2 72.
Seal wanting.
Cf. Registrum Magni Sigilli, lib. xlviii., No. 262; and Registrum Secreti Sigilli, lib. lxxxvi., f. 177.

XLIV.—Charter by King James VI., under the great seal, confirming to the provost, baillies, etc., a mortification made (12th July, 1612) by Master Duncan Liddell, of the lands of Pitmedden, for the support of poor scholars at the colleges of Aberdeen. Edinburgh, 20th August, 1617, . . - - - - - - - - - - 141

Copy in Burgh Charter Room, F^2 4.
Cf. Registrum Magni Sigilli, lib. xlviii., No. 226; and Registrum Secreti Sigilli, lib. lxxxvi., f. 216.

XLV.—Charter by King Charles I., under the great seal, confirming to the provost, baillies, etc., a mortification made (3rd August, 1631) by Master Patrick Dun, of the lands of Ferryhill, for the maintenance of

PAGE

four teachers at the Grammar School of Aberdeen. Holyroodhouse, 20th June, 1633, - - - - - - - - - - - - 148

Original in Burgh Charter Room, F 68.
Seal as in Laing, I. 74.

XLVI.—Charter by King Charles I., under the great seal, in almost the same terms as No. XLIII., but granting two additional mills, the shore and sea mills, and two additional yearly markets; as also the Templar lands within the burgh, and revenues thereof to be added to the burgh; ratifying an act of the Town Council anent ground malt, dated 11th January, 1628; constituting the provost, baillies, council and community, sheriffs, coroners and justices of the peace within the burgh, common lands and harbour thereof, triers and visitors of all weights and measures within the county and burgh, and keepers of the gauge for salmon established by act of Privy Council of date 15th July, 1619 (Pt. II., No. XXII.); ratifying letters patent by King Robert I. of date 6th February, 1329 (No. X., *supra*); confirming the provost, baillies, council and community in the use and possession of the old and new Churches of St. Nicholas, the College Church, St. Catharine's Chapel, St. Ninian's Chapel, St. Clement's Chapel, and granting to them the right of presentation thereto, ordaining the bishop to give collation; uniting with the said burgh, lands, mills, fishings, etc., the said offices of sheriffs, coroners, triers and visitors, and rights of patronage into one free royal burgh, to be now and in all time to come called the Burgh of Aberdeen. Otlands, 9th September, 1638, 155

Original in Burgh Charter Room, A^3 4.
Seal wanting.
Cf. Registrum Magni Sigilli, lib. lvi., No. 28; and Registrum Secreti Sigilli, lib. cviii., f. 372.

XLVII.—Precept by King Charles I., under the privy seal, for a charter to the provost, baillies, council and community of Aberdeen of their parish church of St. Nicholas, with the teinds, parsonage and vicarage, and right of patronage thereof. Holyroodhouse, 11th November, 1641, - - - - - - - - - - - - - 199

Copy in Burgh Charter Room, T^3 11.
Cf. Registrum Secreti Sigilli, lib. cix., f. 371.

XLVIII.—Precept by King Charles I., under the privy seal, for a charter to the provost, baillies, council and community of Aberdeen of an annual rent of £100 sterling from the revenues of the Bishopric

PAGE

of Ross, for the support of the ministers of the burgh. Holyrood-house, 18th November, 1641, - - - - - - - - - - 201

Copy in Burgh Charter Room, A^3 92.
Cf. Registrum Secreti Sigilli, lib. cx., f. 49.

XLIX.—Signature by King Charles II. for a letter under the great seal to confirm the preceding and of new to grant to the provost, baillies, councillors and community of Aberdeen a yearly pension of £100 sterling from the rents of the Bishopric of Ross. Whitehall, 10th April, 1661, - - - - - - - - - - - - - - 204

Original in Burgh Charter Room, A^3 13.

L.—Signature by King Charles II. for a letter under the great seal to grant to the provost, baillies, council and community of Aberdeen the patronage of the church lately founded by George Davidson of Pettens, at Newhills, within the freedom of the said burgh. [*Circa* 1666], - - - - - - - - - - - - - - 205

Copy (imperfect) in Burgh Charter Room, A^3 17.

LI.—Letters by King Charles II., under the great seal, granting to the provost, baillies and council of Aberdeen, in consideration of their expenditure on public works, and of losses incurred during the rebellion, certain excise duties for a term of eleven years. Whitehall, 30th September, 1678, - - - - - - - - - - 207

Original in Burgh Charter Room, A^3 29.
Seal wanting.

LII.—Charter by Queen Anne granting, under the great seal, to the provost, baillies, and dean of guild, as representing the council and community, the teinds of the Cruives, above and below in the Don, for payment of the yearly feuduties to the minister of St. Nicholas of £38 Scots, and to the crown of 11s. 8d. Edinburgh, 31st July, 1702, - 211

Original [?] in Burgh Charter Room, T^3 14.
Cf. Registrum Magni Sigilli, lib. lxxviii., No. 78.

LIII.—Charter by King George II., under the seal of Scotland, granting to the provost, baillies, council and community of Aberdeen the teinds, parsonage and vicarage, of the parish of St. Nicholas, for the relief of the inhabitants of the burgh to the amount of said teinds. St. James, 16th June, 1737, - - - - - - - - 216

Original [?] in Burgh Charter Room, T^3 18.
Cf. Registrum Magni Sigilli, lib. xcvi., No. 4.

PAGE

LIV.—Charter by King George III., under the seal of Scotland, granting to the treasurer of Aberdeen, for behoof of the provost, baillies, councillors and community, the right of salmon fishing in the sea, adjacent to the burgh lands in Kincardineshire. St. James, 1st February, 1804, - - - - - - - - - - - - 222

Original in Burgh Charter Room, T^2 40.
Seal in fragments.

PART SECOND.

ACTS OF PARLIAMENT AND OF PRIVY COUNCIL.

I.—Act of Parliament appointing the Lords of Session, nine in number (three from each estate), to sit annually at Aberdeen, Perth and Edinburgh, for forty days in each place: the first Session to be at Aberdeen on 15th June. 6th March, $145\frac{7}{8}$, - - - - - - 229

Acts of the Parliament of Scotland, Vol. II. p. 47.

II.—Act of Parliament appointing the measure of Hamburg, after the old Assise of Aberdeen, to be the standard barrel for salmon, and forbidding coupers to make smaller barrels. 1st June, 1478, - - - 229

Acts of the Parliament of Scotland, II. 119 (*cf.* pp. 213, 237, and III. 302).

III.—Act of Privy Council ordaining that all properties of Friars be employed for hospitals, schools and other godly uses; and that their buildings in Aberdeen, Elgin, Inverness, Glasgow and other burghs where the same are not demolished, be applied for the common good of the burghs. 15th February, $1562\frac{4}{5}$, - - - - - - - - - 230

Register of Privy Council, Vol. I. (print), p. 202.

IV.—Act of Privy Council absolving the burgesses and indwellers of Aberdeen from the consequences of all acts done under the ascendency of George, Earl of Huntly. 12th July, 1569, - - - - - - 230

Register of Privy Council, I. 683.

V.—Act of Privy Council enjoining the provost and baillies of Aberdeen to prohibit the keeping of feasts, blasphemy, Sabbath markets, images, organs in kirks and other popish practices; to roup the Grey Friars place; to attend to the godly ruling of their own houses; and to provide for the sustenance of lepers. 18th August, 1574, - - 231

Register of Privy Council, II. 390.

PAGE

VI.—Act of Privy Council approving an obligation by the provost, baillies, council and community of Aberdeen, to continue loyal subjects of King James VI. and Regent Morton; and to elect none as office-bearers save those professing the true religion established in the realm, under pain of £20,000 forfeit to his Majesty and loss of the freedom of the burgh. 31st August, 1574, - - - - - - 233
Register of Privy Council, II. 394.

VII.—Also an obligation to employ, within five years, the sum of 1000 merks in building and repairing a hospital. 3rd September, 1574, - 235
Register of Privy Council, II. 402.

VIII.—Act of Parliament appointing the Lords of Session, six with a president, to sit at Aberdeen. 6th December, 1577. - - - - 236
Acts of the Parliament of Scotland, Vol. III., p. 39 (*cf.* p. 43).

IX.—Act of Privy Council revoking an infeftment of the lands of Polgony and Murtour, granted to George Auchinleck of Balmanno during the King's minority, so far as the same extended to the contiguous salmon fishings on the water of Don, which had been peaceably enjoyed by the burgh since the grant of King Robert I. (Pt. I., No. VIII.). 22nd June, 1580, - - - - - - - - - - - 237
Extract in Burgh Charter Room, A^2 24^2.

X.—Act of Parliament appointing the Sheriff of Aberdeen and his deputes and the provost and baillies of Aberdeen, justices for the Waters of Dee and Don, with power to prosecute and punish all contraveners of the Acts of Parliament anent destruction of cruives, slaughter of red fish, fry, etc.: two justice courts to be held yearly. 29th November, 1581, 239
Acts of the Parliament of Scotland, III. 217.

XI.—Act of Parliament, ratifying the revocation by the Privy Council (*supra* No. IX.). 29th November, 1581, - - - - - - 240
Acts of the Parliament of Scotland, III. 235.

XII.—Act of Parliament appointing, *inter alia*, the just measure for salmon to conform to the old Acts (*supra* No. II.), and to be kept at Aberdeen, and the principal staple of salmon for the north to be at Aberdeen and Elgin. 22nd May, 1584, - - - - - - - - 243
Acts of the Parliament of Scotland, III. 302.

XIII.—Act of Parliament appointing a committee to examine and report to the Privy Council anent the bridge of Don, and empowering the said Council, if need be, to impose a general tax for upholding the bridge. 29th July, 1587, - - - - - - - - - - 244
Acts of the Parliament of Scotland, III. 518.

PAGE

XIV.—Act of Privy Council granting a full indemnity to the burgh for its furnishing of the rebel earls of Huntly, Erroll and Craufurd. 4th August, 1589, - - - - - - - - - - - - 246

Register of Privy Council, IV. 405.

XV.—Act of Parliament granting licence to the burgh to hold a yearly market, to continue for eight days from the Monday after Whitsunday (*cf.* Pt. I., Nos. IV., VII., XIX.). 21st July, 1593, - - - 247

Acts of the Parliament of Scotland, Vol. IV., p. 39, cap. 57.

XVI.—Act of Parliament confirming to the burgh the annuals, etc., belonging to the chaplains of the Church of St. Nicholas (*cf.* Pt. I., No. XXXIII. ; Pt. III., No. XVI.). 21st July, 1593, - - - - 248

Acts of the Parliament of Scotland, IV. 39, cap. 58.

XVII.—Act of Parliament ratifying the erection of Aberdeen into a free burgh. 8th June, 1594, - - - - - - - - - - 248

Acts of the Parliament of Scotland, IV. 86, cap. 78.

XVIII.—Act of Parliament ratifying two acquittances given by his Majesty to the burgh for payment of £8000 lent to them from the Queen's tocher. 16th December, 1597, - - - - - - - - 248

Acts of the Parliament of Scotland, IV. 149, cap. 54.

XIX.—Act of Parliament ratifying King James VI.'s charter of 14th August, 1601 (Pt. I., No. XLII.), and ordaining new infeftment to be granted thereon. 9th July, 1606, - - - - - - - - 249

Acts of the Parliament of Scotland, IV. 304, cap. 34.
Extract in Burgh Charter Room, A^2 63.

XX.—Act of Parliament ratifying Mr. Alexander Hay's charter of 1st February, 1605 (Pt. III., No. XIX.). 9th July, 1606, - - - 250

Acts of the Parliament of Scotland, IV. 305, cap. 35.
Extract in Burgh Charter Room, M^1 3.

XXI.—Act of Parliament approving a verbal alteration of £213 6s. 8d. sterling into £213 6s. 8d. Scots in the stated amount of burgh maill (*cf.* Pt. I., No. VIII.) ; of new granting to the burgh its old privileges for yearly payment of the latter sum, with 20s. of augmentation ; and ordaining a new gift thereof to be made under the great seal. 28th June, 1617, - - - - - - - - - - - 250

Acts of the Parliament of Scotland, IV. 579, cap. 61.
Extract in Burgh Charter Room, A^2 70.

PAGE

XXII.—Act of Privy Council appointing the old gauge of Aberdeen, containing ten gallons, to be the standard measure for salmon throughout Scotland (*cf.* Nos. II. and XII. *supra*). 15th July, 1619, - - 253
Extract in Town Council Register, Vol. XLIX., p. 342.

XXIII.—Act of Parliament ratifying King James VI.'s charter of 17th June, 1617 (Pt. I., No. XLIII.), with precept and instrument of sasine following thereon; the Act of Parliament of 28th June, 1617 (*supra*, No. XXI.); and King Robert I.'s charter of 6th February $13\frac{29}{30}$ (Pt. I., No. X.). 28th June, 1633, - - - - - - - - 255
Acts of the Parliament of Scotland, Vol. V. (Re-issue, 1870), p. 86, cap 78.
Extract in Burgh Charter Room, A^2 82.

XXIV.—Act of Privy Council granting to the burgh for a term of nineteen years certain duties on passengers, etc., for upholding the calseys of Cowymonth. 17th July, 1634, - - - - - - - - - 256
Extract in Town Council Register, Vol. LII.^{2}, p. 171.

XXV.—Act of Parliament ratifying King Charles I.'s grant of 11th November, 1641 (Pt. I., No. XLVII.). 17th November, 1641, - - - 258
Acts of the Parliament of Scotland, V. 505, cap. 268.
Extract in Burgh Charter Room, T^2 12.

XXVI.—Act of Parliament ratifying King Charles I.'s charter of 9th September, 1638 (Pt. I., No. XXXVI.), with precept and instrument of sasine following thereon. 17th November, 1641, - - - - - 259
Acts of the Parliament of Scotland, V. 509, cap. 277.
Extract in Burgh Charter Room, A^3 8.

XXVII.—Act of Parliament granting warrant for repayment of £12,960 Scots, with interest, to the burgh, from the burgh excise, being proportion of money furnished to the factor at Campvere for arms sent home during the late troubles. 18th July, 1644, - - - - - - 260
Acts of the Parliament of Scotland, Vol. VI. (Re-issue, 1870), pt. i., p. 173.

XXVIII.—Act of Parliament declaring recent election of council and magistrates in the burgh to have been illegal; and appointing nineteen councillors for the present year, with power to choose magistrates from their own number, and at next election to elect successors of known affection to the cause. 6th February, 1647, - - - 261
Acts of the Parliament of Scotland, VI., i., 688, cap. 175.

XXIX.—Act of Parliament recognising the public indebtedness to the burgh to the extent of £39,084 10s. 8d. Scots lent by the burgh for public

PAGE

uses, and £221,036 5s. Scots for quartering the army. 27th March, 1647, - - - - - - - - - - - - - - - - 262

Acts of the Parliament of Scotland, VI., i., 829, cap. 500.
Extract in Burgh Charter Room, A² 10.

XXX.—Act of Parliament recognising the public indebtedness to the burgh to the extent of 927,120 merks; and granting towards the extinction of this debt the suspension of the payment of arrears, the town's monthly maintenance prior to 1st February, 1649, and a sum of £1000 sterling from the burgh excise for February and subsequent months. 12th March, 1649, - - - - - - - - - - 264

Acts of the Parliament of Scotland, Vol. VI., pt. ii., p. 277, cap. 231.
(*cf.* pp. 448, 491, 529).

XXXI.—Act of Parliament ordaining that the Commissary of Aberdeen shall in future sit within the burgh of Aberdeen instead of within the village called Old Aberdeen. 16th March, 1649, - - - - - 265

Acts of the Parliament of Scotland, VI., ii., 320, cap. 307.

XXXII.—Ordinance by the Lord Protector and his Council, declaring, *inter alia*, that the burghs of Banff, Cullen and Aberdeen shall conjointly return a member of Parliament, the place of meeting for election being Aberdeen. 27th June, 1654, - - - - - - - - 266

Acts of the Parliament of Scotland, Vol. VI. ii., 823, cap. 27.

XXXIII.—Act of Parliament renewing the Privy Council's grant of 17th July, 1634 (*supra* No. XXIV.), for a further term of nineteen years. 22nd February, 1661, - - - - - - - - - - - 267

Acts of the Parliament of Scotland, Vol. VII., p. 41, cap. 61 (*cf.* Vol. V., p. 277 [?]).

XXXIV.—Act of Parliament confirming the provisions of the Act of 16th March, 1649 (*supra* No. XXXI.). 12th July, 1661, - - - - 269

Acts of the Parliament of Scotland, VII. 329, cap. 357 (*cf.* Appendix, 85).

XXXV.—Act of Parliament rescinding the preceding Act, and ordaining that the Commissary shall sit in the Oldtown of Aberdeen, where the seat of the Bishop is. 17th July, 1662, - - - - - - - - 269

Acts of the Parliament of Scotland, Vol. VII. 385, cap. 22.

XXXVI.—Remit by Parliament to the Lords of Session of a dispute between the burgh of Kintore and the magistrates of Aberdeen anent the selling of ground malt. 5th September, 1662, - - - - 270

Acts of the Parliament of Scotland, Vol. VII. 413, cap. 65.

PAGE

XXXVII.—Act of Parliament continuing the grant under the Act of 22nd February, 1661 (*supra* No. XXXIII.), for a further term of nineteen years after the expiry of the former grant. 3rd December, 1669, - 271
Acts of the Parliament of Scotland, Vol. VII. 558, cap. 10.

XXXVIII.—Act of Parliament providing, *inter alia*, for the holding of a Circuit Court at Aberdeen once a year. 30th August, 1672, - - 272
Acts of the Parliament of Scotland, Vol. VIII., p. 88, cap. 40.

XXXIX.—Act of Parliament ratifying King James VI.'s charter of 17th July, 1617 (Pt. I., No. XLIII.), and King Charles I.'s charter of 9th September, 1638 (Pt. I., No. XLVI.), with the Instruments of Sasine following thereon, and specially the *de novo* gift contained in the second charter. 17th September, 1681, - - - - - 272
Acts of the Parliament of Scotland, Vol. VIII., 398, cap. 141.
Extract in Burgh Charter Room, A^3 31.

XL.—Act of Privy Council appointing a voluntary contribution to be collected throughout Scotland towards the expense of repairing the harbour of Aberdeen. 7th July, 1682, - - - - - - 274
Print in Burgh Charter Room, A^3 33.

XLI.—Act of Parliament rescinding the Act of 17th July, 1662 (*supra* No. XXXV.), and ordaining that, as Episcopacy has been abolished, the Commissary shall in future sit within the burgh of Aberdeen. 22nd July, 1690, - - - - - - - - - - - - 275
Acts of the Parliament of Scotland, Vol. IX., p. 204, cap. 67.

XLII.—Act of Parliament renewing King Charles II.'s grant of 30th September, 1678 (Pt. I., No. LI.), for a term of thirteen years. 16th July, 1695, - - - - - - - - - - - - 276
Acts of the Parliament of Scotland, Vol. IX., 457, cap. 60 (*cf.* Vol. XI., pp. 335, 382, 427, 478).
Extract in Burgh Charter Room, A^3 38.

XLIII.—Act of Parliament providing, *inter alia*, that the burghs of Aberdeen, Inverbervy, Montrose, Arbroath and Brechin shall conjointly return a member to the House of Commons in the Parliament of Great Britain. 5th February, 1707, - - - - - - 278
Acts of the Parliament of Scotland, Vol. XI., p. 426, cap. 8.

XLIV.—Act of Parliament continuing the grant under the Act of 16th July, 1695 (*supra* No. XLII.), for a further term of twenty-five years after the expiry of the former grant. 25th March, 1707, - - 279
Acts of the Parliament of Scotland, XI. 480, cap. 81.
Extract in Burgh Charter Room, A^3 44.

PAGE

TITLES of forty-one Acts (public, or local, or private) of the Parliaments of Great Britain, or of Great Britain and Ireland, affecting the Burgh of Aberdeen: from 8 Geo. I. c. xxviii, of 7th March, $172\frac{1}{2}$, to 48 & 49 Vict. c. cxxiii., of 22nd July, 1885, - - - - - - - 281

PART THIRD.

MISCELLANEOUS WRITS.

I.—Letters patent by the Guardians of the Kingdom appointing a commission to settle a dispute anent fairs between the burghs of Aberdeen and Montrose. Edinburgh, 8th May, 1287, - - - - - 289

Original in Burgh Charter Room, A[1] 7.
Seal as in Laing, I. 17, a fragment.

II.—Letters patent by the community of Banff, addressed to the Guardians of the Kingdom, entreating them to cause the provisions of King Alexander III.'s Charter (Pt. I., No. IV.) to be observed. Banff, 1289, - - - - - - - - - - - - - 290

Original in Burgh Charter Room, A[1] 8.
Seal wanting.

III.—Letter by King Edward I., Governor of the Kingdom of Scotland, to John of Gildeford, keeper of the castles of Aberdeen and Kincardine, commanding him to give sasine thereof to John of Balliol, next heir of Queen Margaret. Berwick-on-Tweed, 18th November, 1292, - 291

Rotuli Scotiae in Turri Londinensi, Vol. I., p. 12.

IV.—Letters patent by the burgesses and community of Aberdeen, promising to serve well and loyally their dear Lord Edward, King of England, and his heirs. Aberdeen, 16th July, 1296, - - - - 292

Ragman Rolls, (Bannatyne Club), p. 95.

V.—Letter by King Edward I. to William le Betour, Captain of the Navy, enjoining him to take measures for raising the siege of the castle of Aberdeen. Windsor, 10th July, 1308, - - - - - - - 295

Rotuli Scotiae, I. p. 55.

VI.—The earliest extant accounts of the burgh fermes, being those of Nicholas of Lidell and William Chapman, provosts, rendered at Dumbarton, 14th January, $132\frac{7}{8}$, - - - - - - - - 296

Exchequer Rolls of Scotland, I., p. 60.

PAGE

VII.—The earliest extant accounts of the burgh customs, being those of Nicholas Lidell and Simon Gelchauch, customars, rendered at Dumbarton, 14th January, $132\frac{7}{8}$, - - - - - - - - - 298

Exchequer Rolls of Scotland, I., p. 90.

VIII.—Procuratory by the burgesses of Edinburgh, Perth, Aberdeen, Dundee, Inverkeithing, Crail, Cupar, St. Andrews, Montrose, Stirling, Linlithgow, Haddington, Dumbarton, Rutherglen, Lanark, Dumfries and Peebles, appointing representative burgesses of Edinburgh, Perth, Aberdeen and Dundee to negotiate for the ransom of King David II. Edinburgh, 26th September, 1357, - - - - 301

Original in Public Record Office, London: "Chapter House Scots Documents".

Seals as in Laing, I. 1156 (Edinburgh); II. 1197 (Aberdeen); II. 1211 (Dundee); II. 1223 (Inverkeithing); II. 1204 (Crail); I. 1152 (Cupar); I. 1183 (St. Andrews); II. 1243 (Montrose); I. 1188 (Stirling); I. 1173 (Linlithgow); II. 1219 (Haddington); II. 1210 (Dunbarton, not Dunbar); I. 1181 (Rutherglen); II. 1239 (Lanark); I. 1154 (Dumfries); I. 1177 (Peebles). The seal of Perth is wanting, and several of the others are much mutilated.

Cf. Acts of the Parliament of Scotland, Vol. I., p. 157 (517 red), cap. 13.

IX.—Letters of obligation by the said procurators, binding themselves and their principals, one and all, debtors, *in solidum*, for the sum of 100,000 [erroneously printed 10,000 on p. 305] merks sterling, being the sum requisite for the ransom of King David II. Berwick-on-Tweed, 5th October, 1357, - - - - - - - - - - - - - 305

Original in Public Record Office, London: "Chapter House Scots Documents".

Seals wanting.

Copy in Burgh Charter Room, A^1 20^2.

X.—Tax roll of the inhabitants of Aberdeen contributing towards the expense of the embassy to England. 1408, - - - - - - 312

Town Council Register, Vol. II., p. 26.

XI.—Letters of obligation by the provost and baillies of Aberdeen, binding themselves, and their successors, one and all, debtors, *in solidum*, for the sum of 50,000 merks sterling, as surety for the payment of the ransom of King James I. 16th February, $142\frac{3}{4}$ (*cf.* Pt. I., No. XVI.), 321

Original in Public Record Office, London: "Chapter House Scots Documents".

Seal as in Laing, II. 1197.

Copy in Burgh Charter Room, A^1 25^2.

PAGE

XII.—Letters patent by King Henry VI., granting a safe conduct to Adam Dolas and William Shortyng, merchants of Aberdeen, travelling by sea to London. Westminster, 11th July, 1426, - - - - - 321

Rotuli Scotiae, II. 256.

XIII.—Charter by King James IV., under the great seal, ratifying all previous gifts to the Cathedral Church of Aberdeen; and constituting the Cathedral city of Old Aberdeen a free burgh of barony, with usual rights and privileges. Edinburgh, 26th September, 1489, - 323

Copy in Burgh Charter Room, A^1 36[2].
Cf. Registrum Magni Sigilli, lib. xii., No. 168 (Print, Vol. II., p. 401).

XIV.—Charter by King James IV., under the great seal, constituting the town of Torry a free burgh of barony. Arbroath, 11th December, 1495, - - - - - - - - - - - - - 329

Copy in Burgh Charter Room, A^1 40.
Cf. Registrum Magni Sigilli, lib. xiv., No. 167 (Print, Vol. II., p. 486).

XV.—Instrument of resignation by Friar John Roger, Superior of the Gray Friars of Aberdeen, in favour of the community, of the properties of the said Friars. Aberdeen, 29th December, 1559, - - - - 332

Original in Burgh Charter Room, A^2 18.

XVI.—Narrative of the resignation by the chaplains of the Church of St. Nicholas in favour of the community for the support of St. Thomas' Hospital, of all their properties, reserving a liferent interest therein to the then chaplains. Aberdeen, 19th August, 1575, - - - - 335

Town Council Register, XXVIII. 542.

XVII.—Narrative of a perambulation, being the earliest described in detail, of the Outer Marches of the Burgh, without the Freedom lands. Aberdeen, 22nd September, 1578, - - - - - - - - 336

Town Council Register, XXX. 102.

XVIII.—Decreet Arbitral by Commissioners nominated by the provost, baillies, council and guild brethren on one part, and the free craftsmen of the burgh on the other part, defining the privileges of the burgesses and of the craftsmen. Aberdeen, 7th July, 1587, - - 345

Extract in Burgh Charter Room, A^2 35.
Cf. Town Council Register, Vol. XXXII., p. 233.

PAGE

XIX.—Charter by Mr. Alexander Hay, Clerk to the Parliament and Council, conveying to the burgh feuduties amounting to £27 8s. 8d. Scots, for the upkeeping of the Bridge of Don. Edinburgh, 1st February, 1605 (*cf.* Pt. II., No. XX.), - - - - - - - 351

Original in Burgh Charter Room, M[1] 1.

XX.—Contract between Sir Alexander Drummond, Judge Admiral-depute, and the provost and baillies of Aberdeen, constituting the latter admirals-depute between the waters of Dee and Don, for payment to the former of a yearly sum of £6 13s. 4d. Edinburgh and Aberdeen, 2nd and 8th August, 1617, - - - - - - - - - 360

Original in Burgh Charter Room, A[2] 76.

XXI.—Resignation by Alexander Rutherford in favour of the provost, baillies and council of the office of tronarship, with the duties pertaining thereto. Aberdeen, 16th September, 1617, - - - - 363

Extract in Burgh Charter Room, A[2] 77.

XXII.—Resignation by Mr. David Rutherford and Mr. John Mortimer in favour of the provost, etc., of the Cran, with the duties pertaining thereto. Aberdeen, 16th June, 1629, - - - - - - - 366

Extract in Burgh Charter Room, A[2] 79.

XXIII.—Letters of Mortification by Dr. Patrick Dun, conveying to the provost, etc., the lands of Ferryhill, for the maintenance of four masters in the Grammar School, with certain privileges to scholars of the name of Dun, or sons of tenants of the said lands. Aberdeen, 3rd August, 1631. (*Cf.* Pt. I., No. XLV.), - - - - - - - 373

Copy [?] in Burgh Charter Room, F 67.
Recorded in Books of Council and Session, 18th July, 1633.

XXIV.—Matriculation by Sir Charles Erskine, Lyon King of Arms, of the bearings of old appertaining to the Royal Burgh of Aberdeen. Edinburgh, 25th February, 1674, - - - - - - - - - 380

Original in Burgh Charter Room, A[2] 24.

XXV.—Narrative of a perambulation of the Inner Marches of the Burgh. Aberdeen, 11th May, 1696, - - - - - - - - - 381

Town Council Register, LVII. 518.

PART FOURTH.

INVENTORIES OF WRITS ILLUSTRATING THE HISTORY OF THE BURGH OF ABERDEEN.

PAGE

I.—Records under the Charge of the Town Clerk :—

A[1]. Burgh Charters, etc., to 1500, - - - - - - - 387
A[2]. Do. 1500-1635, - - - - - - 389
A[3]. Do. 1635- , - - - - - - 393
A[4]. Tenements in Town, - - - - - - - 397
Decreets, - - - - - - - - - 397
B. Bethelnie, - - - - - - - - - 397
Bogfairly, - - - - - - - - - 397
C[1]. Capraston, - - - - - - - - - 398
Chaplains, - - - - - - - - - 398
C[2]. Church and Bridge Works, - - - - - - - 401
College, - - - - - - - - - - 401
D. Dean of Guild, - - - - - - - - - 402
E[1]. Easter Echt, - - - - - - - - - 402
E[2]. Elsick, - - - - - - - - - 402
F. Ferryhill, - - - - - - - - - 402
G. Gilcomston, - - - - - - - - - 402
K[1]. Kinmundy, - - - - - - - - - 402
K[2]. Kirkhill, - - - - - - - - - 403
M[1]. Mortifications, 1st Division, - - - - - - - 403
Do. 2nd Division, - - - - - - - 404
M[2]. Murtle, - - - - - - - - - 405
P[1]. Pettans, - - - - - - - - - 405
P[2]. Pitmedden, - - - - - - - - - 405
S[1]. Shettocksley, - - - - - - - - - 405
S[2]. Skene, - - - - - - - - - - 406
T[1]. Torry, 1512-1619, - - - - - - - - - 406
T[2]. Do. 1620-1883, - - - - - - - - - 406
T[3]. Teinds, - - - - - - - - - - 406
Town Council Register, - - - - - - - - 407
Burgh Register of Sasines, - - - - - - - - 410
Register of Deeds Recorded in Burgh Court, - - - - - 415
Accounts, - - - - - - - - - - 416
Baillie Court Books, - - - - - - - - - 419

PAGE
Guild Court Books, - - - - - - - - 419
Justice Court Books, - - - - - - - - 420
Enactment Books, - - - - - - - - 420
Propinquity Books, - - - - - - - - 420
Incarceration and Liberation Books, - - - - - - 421
Register of Indentures, - - - - - - - - 421
Register of Burgesses of Guild, - - - - - - - 421
Register of Honorary Burgesses, - - - - - - - 421
Letters Received, - - - - - - - - - 422
Copies of Letters Sent, - - - - - - - - 422
Proclamation Books, - - - - - - - - 423
Register of Mortifications, - - - - - - - - 423
Records of Commissioners of Police, - - - - - - 423
Records of Visitations of Grammar School, - - - - - 423
Guildry Minute Books, - - - - - - - - 423
Weavers' Enactment Books, - - - - - - - - 423
Chartulary of Feus of Freedom Lands, - - - - - - 424
Chartulary of Feus of County Lands, - - - - - - 424
Miscellaneous, - - - - - - - - - - 424

II.—Records under the Charge of the Sheriff Clerk of Aberdeenshire :—
Diet Books, - - - - - - - - - - - 425
Decree Books, - - - - - - - - - - 426
Register Books of Protests, - - - - - - - - 427
Registers of Deeds, - - - - - - - - - 427
Deeds Registered, - - - - - - - - - 428
Sundry Records, - - - - - - - - - - 429

III.—Records under the Charge of H.M. Registrar General :—
Records of the Commissary Court of Aberdeen, - - - - 433
Particular Registers of Sasines for the Shire of Aberdeen, 1599-1660, 439
Do. do. do. Shires of Aberdeen and Kincardine, 1661- , - - - - - - - - - 440
Protocol Books having reference to Aberdeen, - - - - 441
Register of Births, Marriages and Burials for the Parish of St. Nicholas, - - - - - - - - - - - 442
Register of Births, Marriages and Burials for the Parish of Old Machar, - - - - - - - - - - - 443

IV.—Miscellaneous Records, - - - - - - - - - 445

Index, - - - - - - - - - - - - - 447

LIST OF ILLUSTRATIONS.

King William the Lion's first charter to the burgesses of Aberdeen, *Frontispiece.*

Ancient common seal of the burgh appended to Obligation of $142\frac{3}{4}$, *to face page* 317

Emblazonment of the burgh arms, 1674, - - - - - - ,, 380

Small seal of the burgh, - - - - - - - - - - *page* 446

Map showing conjectural positions of crofts surrounding the burgh, - *At end.*

PART I.

CROWN CHARTERS

AND

LETTERS PATENT.

CROWN CHARTERS AND LETTERS PATENT.

I.

W · d Gr̃a Rex Scoꝛ̃ · Om̃ib⁹ p̄b hōib⁹ toti⁹ p̄re sue Saluꝫ · Sciant p̄sentes ⁊ fut'j me Concessisse · ⁊ hac Carta mea Confirmasse Burgēsib⁹ meis d Abdoen · ⁊ Om̃ib⁹ Burgēsib⁹ d Morauia · ⁊ Om̃ib⁹ Burgensib⁹ meis ex aq'lonalj pte de Muneh* manētib⁹ libū ansū suū Tenēdū uⁱ voluerit · ⁊ qⁿdo voluerit · Ita liḃe ⁊ qⁱete plenarie ⁊ honorifice Sicut añcessores eoꝝ

I.

King William the Lion grants a free Hanse to his burgesses of Aberdeen and others.†

William, by the grace of God King of Scots, to all good men ‡ of his whole land, greeting. Know all men, present and to come, that I have granted, and by this my charter have confirmed, to my burgesses of Aberdeen, and to all burgesses of Moray, and to all my burgesses dwelling to the north of the Munth, their free Hanse, to be held where they will and when they will; as freely and peaceably,

* In previous reproductions of the earliest Aberdeen charter (Kennedy's *Annals of Aberdeen*, 1818, Vol. I., Reissue, p. 8; *Appendix to Report on Municipal Corporations (Scotland)*, 1835, p. 6; Gordon's *Description of Bothe Touns of Aberdeene*, 1842, p. 29; *The Acts of the Parliament of Scotland*, 1875, Vol. I., Reissue, p. 87) this word has invariably been printed "Munth". It will be seen from the frontispiece that the correct rendering is undoubtedly as above. The interchange of lingual and guttural terminations is not uncommon. Compare the forms, Meneteth, Meneteh, Menetehet.

† See Preface with reference to dates of this and next two charters.

‡ "These styles were borrowed almost verbatim from Anglo-Saxon England. . . . The class of the 'good men,' *probi homines*, does not precisely mean men of morality. Like *liberetenentes*, the title of *probi homines* has been a great subject of controversy in England, without much fruit from the strife. . . . I think English lawyers have now agreed that *probi homines* may be correctly rendered either vassals or subjects. . . . With us *probus homo* has a similar meaning. I have myself a series of charters and letters in which the owners of certain lands in Moray are styled 'Goodman of Cotts,' 'Goodman of Leuchars'; and that designation lasted for a century or two."—Cosmo Innes' *Lectures on Scotch Legal Antiquities*, p. 35.

tēpe Reḡ DD. Auj mej Ansū suū libi⁹ ⁊ honorificēti⁹ habuerunt · Q^are phibeo firmiť ⁹ Ne qⁱs eos inđ vexet aut Disturbet Sup meā plenariā forisfacturā · Test' · Andř · Epo de Katenes · Comiť · Duneč · Iustič · Gilleb'to Comiť · đ St^adhern · Comiť · G · đ Aneg⁹ · Ricardo de Moreuiłł · Cōstab · Walt⁹o de Berket · Cam · G · đ Maleuiłł · Hugōe Giffard · Malisio fře Comitis đ St^h · Apd PERT.

II.

W · đi gř̄a Rex Scotť · Epis · Ab̄btib⁹ · Com · Baroñ · Iustič · vicec · p̄pōitis · Minist's · ⁊ Omib⁹ p̄bis hōinib; tot; ⁊re sue cīcis ⁊ laicis ⁊ salt · Sciant p̄sentes ⁊ fut'j me in p̄petuū quietos clamasse ōes burgenses meos de Aberdon a tolncio de pp'is catał suis p totū regnū meū p̄ bono seruicio qđ idē bur-

fully and honourably, as their ancestors, in the time of King David, my grandfather, had their Hanse freely and honourably. Wherefore I strictly forbid anyone to trouble or disturb them therein, on pain of my full forfeiture. Witnesses: Andrew, Bishop of Caithness; Earl Duncan, Justiciar; Gilbert, Earl of Strathearn; Earl G. of Angus; Richard of Moreville, Constable; Walter of Berkeley, Chamberlain; G. of Maleville; Hugh Giffard; Malis, brother of the Earl of Strathearn. At PERTH.

II.

King William the Lion frees his burgesses of Aberdeen from the payment of toll on their own goods in any part of his Kingdom. 28th August.

WILLIAM, by the grace of God King of Scots, to the bishops, abbots, earls, barons, justiciars, sheriffs, provosts,* officers, and all good men of his whole land, churchmen and laymen, greeting. Know all men, present and to come, that I have declared all my burgesses of Aberdeen for ever quit of toll on their own goods throughout my whole kingdom, in return for the good service which the

* "The word *prepositus* cannot be considered equivalent to the modern provost, inasmuch as it is generally used in the plural, with reference to each burgh of any size. . . . The officers who accounted for the fermes are, during the first half of the fourteenth century, generally called *prepositi*, occasionally *ballivi*, the latter name having probably survived from the period when the collectors of the fermes were Crown officers. . . . Mayor and Alderman were terms in use as designations of the chief magistrate of the more important burghs." *The Exchequer Rolls of Scotland*, Vol. I., 1878, pp. lxxxvi., lxxxvii. In the Scotch MSS. of the "Leges Burgorum" the term *prepositus* is rendered indifferently "burrow greyff," "aldyrman," and "bailye". *Ancient Laws and Customs of the Burghs of Scotland*, Vol. I., 1868, pp. 5, 25.

genses mej mⁱ fecerūt · Et ido uollo ut nūm p regnū meū dent tolneiū de pp'is catall · suis · ꝛ firmit̄ ꝑcipio ut ubicūq; in regno meo uenerit · ppetuo a tolneio q'etj sint de pp'is catall · suis · Qⁿr phibeo firmit̄ nequis in regno meo eos iniuste uexare ꝑsumat in exigendo ab eis de ppriis catall eoꝝ tolneiū · sup meam plenariā forisfacturam · Test · Ric̄ · Epo Morauie · Com̄ · Dunec̄ · Iustic̄ · Gillex · Com̄ · de Mar̄ · Witto ꝛ Walto Capthis meis · Philipp̄ · de Valoñ · Alañ · fil · Rollanđ · constab · Witto de Haia · Witto Giffard · Vmifr̄ · de Berkal · Henr̄ · Reuel · Thom̄ · Thancard · yuone de vet̄j ponte · Walt̄ · fil · Sibald · apd aberdon xxviij · die Aug̃tj.

III.

Alex · dei Gra Rex Scott̄ · Epis · Abbatib⁹ · Comitib⁹ · Iustic̄ · vicecomitib⁹ · Prepositis · Minist's · ꝛ Omib⁹ probis Hoinib⁹ Tocius Terre sue · Clericis ꝛ laicis ꝫ Salut̄ · Sciant ꝑsentes ꝛ fut'i · me Concessisse · ꝛ hac Carta mea confirmasse · burgo meo ꝛ burgensib⁹ meis de Aberdeñ · iura ꝛ libtates que predecessores mei concesserūt burgo ꝛ burgensib⁹ đ Perṫ ·

same, my burgesses, have rendered to me. And it is therefore my will that they pay no toll throughout my kingdom on their own goods, and I strictly ordain that wherever they come within my kingdom they be for ever quit of toll on their own goods. Wherefore I strictly forbid anyone within my kingdom to make bold to trouble them wrongously by demanding from them toll on their own goods, on pain of my full forfeiture. Witnesses: Richard, Bishop of Moray; Earl Duncan, Justiciar; Gilchrist, Earl of Mar; William and Walter, my Chaplains; Philip of Valoines; Alan, Son of Rolland, Constable; William of Hay; William Giffard; Humphrey of Berkeley; Henry Reuel; Thomas Thancard; Yvon of Vipont; Walter, Son of Sibald. At Aberdeen, the twenty-eighth day of August.

III.

King Alexander II. grants to his burgh and burgesses of Aberdeen the privileges granted by his predecessors to the burgh and burgesses of Perth. 27th February.

ALEXANDER, by the grace of God King of Scots, to the bishops, abbots, earls, barons, justiciars, sheriffs, provosts, officers, and all good men of his whole land, churchmen and laymen, greeting. Know all men, present and to come, that I have granted, and by this my charter have confirmed, to my burgh and to my burgesses of Aberdeen the rights and privileges that my predecessors granted to the burgh

Scilt · ut habeant forum suum die Sabbati in q^{a}libet Ebdomada · meamq$_{\text{ꝫ}}$ firmam pacem dedi iuste om̄ib$^{\text{ꝯ}}$ ꝑbis hōinib$^{\text{ꝯ}}$ qui ad forum illā uenient · Et ꝑhibeo · ne quis eis ī ueniendo ad forum uel ī redeundo iiuriam · uel molestiam · aut g^{a}uamen iniuste iferat · sup meam plenariam forisfacturam · Ꝑhibeo ꝫ firmit̄ ne q's mchator ext^{a}neus infra vicecomitatū de Aberdeñ · ext^{a} burgum meum de Aberdeñ · aliqu'd emat uel uendat sup meam defensionem · Set ext^{a}nei merchatores deferant merchat^{r}as suas ad burgum meū de Aberdeñ · ꝫ eas ibi uendant · ꝫ denarios suos inplicent · Sí quis uero merchator ext^{a}neus sup defensionem meā inuent$^{\text{ꝯ}}$ fuit ī Vicecomitatu de Aberd · aliq'd emens uel uendens · capiat^{r} · ꝫ detineat^{r} don^{c} uoluntatē meā de eo ꝺcepo · Ꝑhibeo ꝫ firmit̄ · ne Q's merchator ext^{a}neus secet pannum suū ad uendendū in foro de Aberdeñ · nisi a die ascensionis dñi usq$_{\text{ꝫ}}$ · ad vincula Scī Pet' infra q^{os} ꝑminos · uolo ut ipi secent pannū suū · ad uendend in foro de Aberdeñ · ꝫ ibi emant ꝫ uendant pannum ꝫ alias merchat^{r}as suas cōmunit̄ cum burgensib$^{\text{ꝯ}}$ meis · sicut dñici burgense^{s} mei · saluis Rectitudinib$^{\text{ꝯ}}$ meis · Precipio ꝫ ut om̄es qui manent in burgo de Aberd ꝫ cum b^{r}gensib$^{\text{ꝯ}}$ meis ad forū cōmunicare uoluerit cōmunicent cum illis ad auxilia mea reddenda · cui$^{\text{ꝯ}}$cūq$_{\text{ꝫ}}$ homies sint · Ꝑhibeo ꝫ ne aliqua

and to the burgesses of Perth, that is to say, to hold their market on Saturday in every week; and I have rightly given my sure protection to all good men who shall come to that market; and I forbid anyone wrongously to inflict injury or annoyance or inconvenience upon them while coming to market or while returning, on pain of my full forfeiture. I also strictly forbid any stranger merchant to buy or to sell anything within the sheriffdom of Aberdeen outwith my burgh of Aberdeen, in despite of my protection; but stranger merchants are to bring their merchandise to my burgh of Aberdeen and there sell the same and receive their money; if, however, any stranger merchant shall, in despite of my protection, be found within the sheriffdom of Aberdeen buying or selling anything, he is to be apprehended and kept in custody until I shall have declared my pleasure regarding him. I also strictly forbid any stranger merchant to cut his cloth for sale in the market of Aberdeen, save from the day of the Ascension of Our Lord to the feast of St. Peter's Chains; between which terms it is my will that they cut their cloth for sale in the market of Aberdeen, and there buy and sell their cloth and other merchandise in common with my burgesses, in like manner as my proper burgesses: saving my rights. I also ordain that all who dwell in the burgh of Aberdeen and wish to take part with my burgesses in the market, take part with them in paying my dues, whose men soever they be. I also forbid the

taberna habeat' In aliq^{a} uilla in vicecomitatu de Aberdeñ · nisi ubi miles sit dñs uille · ⁊ in ea manens · ⁊ ibi nō habeat^{r} n^{i} una sola Taberna · Concedo ⁊ eisdem burgensib^{9} meis de Aberdeñ ut habeant Gildam suā merchatricem · exceptis fullonib^{9} ⁊ telariis Phibeo ⁊ firmi^{9} ne Q's manens ext^{a} burgū meū de Aberd̄ ī vicecomitatu de Aberdeñ · faciat pannum tinctum uel tonsum in vicecomitatu de Aberd̄ · uel facere faciat · pre^{9} b^{r}gense^{s} nr̄os de Aberdeñ · q^{i} sunt in Gilda merchatoria · ⁊ qui cōmunicant ad auxilia mea reddenda cū b^{r}gensib^{9} meis de Aberdeñ · exceptis illis qui de hac libtate cartam suam hucusq$_{9}$ habuer̄t · Q^{a}re phibeo firmi^{9} · ne q's ī vicecomitatu de Aberd̄ · facere ꝑsumat pannū tinctū uel tonsum · sup meā plenariā forisfacturā · Si uero alicui^{9} pann^{9} tinctus uel tonsus inuent^{9} fuit factus sup hāc defensionem ꝯ precipio vicecomiti nr̄o q^{a}tin^{9} capiat pānum · ⁊ inde faciat scdm qd consuetudo fuit tpr̄ Regis · DD · paui mei · Phibeo ⁊ firmi^{9} · ne q's extraneus extra burgum meum de Aberdeñ ꝯ emat uel uendat Coria uel lanam n^{i} ī burgo nr̄o de Aberdeñ · Has auc̄ ōes libertates ⁊ consuetudines illis concedo ⁊ hac Carta mea Confirmo · Saluis libtatib^{9} ⁊ liberis cōsuetudinib^{9} ꝯ q^{e} ante concessionem istam date fuer̄t aliis burgis ⁊ burgensib^{9} infra balliam de Aberdeñ ·

keeping of any tavern in any town within the sheriffdom of Aberdeen, save where a knight is lord of the town and dwells therein; and there no tavern, save one only, is to be kept. I also grant to the same, my burgesses of Aberdeen, that they have their merchant guild, the waulkers and weavers being excluded. I also strictly forbid anyone dwelling outwith my burgh of Aberdeen within the sheriffdom of Aberdeen, to make or cause to make cloth dyed or shorn within the sheriffdom of Aberdeen, save my burgesses of Aberdeen who are of the merchant guild and who take part in paying my dues with my burgesses of Aberdeen: with the exception of such as had hitherto their charter securing this privilege; wherefore I strictly forbid anyone within the sheriffdom of Aberdeen to presume to make cloth dyed or shorn, on pain of my full forfeiture; if, however, any person's dyed or shorn cloth shall be found, made in despite of this protection, I command my sheriff to seize the cloth and to do therewith as was the custom in the time of King David, my great-grandfather. I also strictly forbid any stranger, outwith my burgh of Aberdeen, to buy or to sell hides or wool, save within my burgh of Aberdeen. All these privileges and usages, however, I grant, and by this my charter confirm to them, without prejudice to the privileges and free usages which before this grant were bestowed on other burghs and burgesses within the bailiwick of Aberdeen. Moreover, I strictly enjoin my

Precipio aut firmit baillíuis meis de Aberdeñ · qatin pdictis burgensib meis de Aberdeñ · auxiliantes sint · t eos iuste manuteneant ad predcas rectas consuetudines burgi habendas · Et phibeo · ne Q's pdcos burgenses nros cont pdictas Rationabiles leges t Consuetudies iniuste uexare psumat sup meā plenariam forisfacturam · Test · Witt · de boscho Cancll · nro · Comite Malcolm · de fif · Walter · de Lindes · Ioh de Maccuswel · DD · marescall · Walter · Cum · Iordañ · Cumiñ · Heruic · Marescall · DD · de Hastig · Malcolm · pincerna · Rob · de Sco Claro · Apd Alicht · xxvij. die Februar.

IV.

Alex di gra Rex Scottor Omibus probis Hominib Tocius Terre Sue Salt · Noitis nos concessisse dedisse · t psenti Carta nra confirmasse Burgensib nris de Aberdeñ Dilctis t fidelib nris ut habeant Singulis Annis a Die Sce Trinitatis Nundinas in Burgo nro de Aberdeñ p duas septimanas continue sequentes duraturas · cum omibus Iuribus · Libtatib ·

baillies of Aberdeen to render aid to my foresaid burgesses of Aberdeen, and rightly to maintain them in possession of the foresaid true usages of the burgh. And I forbid anyone to make bold wrongously to trouble my foresaid burgesses in despite of the foresaid reasonable laws and usages, on pain of my full forfeiture. Witnesses: William de Boscho, my Chancellor; Malcolm, Earl of Fife; Walter of Lindesay; John of Maccuswell; David, Marischal; Walter Cumin; Jordan Cumin; Hervey, Marischal; David of Hastings; Malcolm, Cupbearer; Robert of Saint Clair. At Alyth, the twenty-seventh day of February.

IV.

King Alexander III. grants to his burgesses of Aberdeen the right to hold a yearly fair for two weeks from the day of the Holy Trinity. 2nd December [1273].*

ALEXANDER, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that we have granted, given, and by our present charter confirmed to our burgesses of Aberdeen, our beloved and trusty, the right to hold a yearly fair within our burgh of Aberdeen to last for two consecutive weeks from the day of the Holy Trinity; with all the rights, liberties, privileges, and usages

* Alexander III. began to reign 8th July, 1249.

Rectitudinibꝫ · ⁊ qsuetudinibꝫ · ad alias Nundinas nr̃as In Burgis nr̃is p Regnum nr̃m constitutas iuste ptinentibus Testibus Will̃o Cumyñ de Kylbryde · Thoma Ranulphi tunc : Camꝺario · Reginaldo le Cheñ · Robo de Cambruñ · Will̃o de Sc̃o Claro · Pr̃icio de Grahaṁ · ⁊ · Will̃o Byseth · Apud Kyntoꝛ · Scꝺo · die Decembr̃ · Anno regni nr̃i · vicesimo q'nto.

V.

Alex̃ dei gr̃a Rex Scott' omnibꝫ probis hominibꝫ toci⁹ ꝺre ad quos presentes littere ꝑuenint : Salm̃ · Sciatis nos burgenses nr̃os de Abirden ꝺras suas homines suos ⁊ vniuꝺsas coꝛꝺ possessiones ac om̄ia bona sua mobilia ⁊ im̄obilia sub f'ma pace ⁊ ꝓtect̃one nr̃a iuste suscepisse Q^{a}re firmiꝺ ꝓhibem⁹ · ne quis eis malum · molestiam · iniuriam seu g^{a}uamen aliquod inferre ꝺsumat iniuste sup nr̃am plenariam forisfacturā · Concessim⁹ ⁊ eisdem vt nullus namos suos vel alicui⁹ iꝑoꝛ seu hominū suoꝛ capiat ꝑ alicui⁹ debito · plegiagio vel forisfacto · nisi ꝑ suo ꝓp'o debito plegiagio vel forisfacto · firmiꝺ inhibentes · ne quis eos vel aliquc̄ iꝑoꝛ

justly pertaining to our other fairs established in our burghs, throughout our kingdom. Witnesses: William Cumyn of Kilbride; Thomas Ranulph, then Chamberlain; Reginald le Chen; Robert of Cambrun; William of Saint Clair; Patrick of Graham; and William Byseth. At Kintore, the second day of December, in the twenty-fifth year of our reign.

V.

King Alexander III. declares his burgesses of Aberdeen to be under his protection, and their goods to be free from poinding, save for their own debts. 27th January [$127\frac{6}{7}$].

Alexander, by the grace of God King of Scots, to all good men of the whole land to whom the present letters shall come, greeting. Know ye that we have rightly taken under our sure peace and protection our burgesses of Aberdeen, their lands, their men, and their entire possessions, and all their goods movable and immovable. Wherefore we strictly forbid anyone to make bold wrongously to inflict upon them any hurt, annoyance, injury or inconvenience, on pain of our full forfeiture. We have likewise granted to the same that no one shall poind their goods, whether those of anyone of themselves or of their men, for the debt, caution, or fine of anyone, save for their own proper debt, caution, or fine; strictly forbidding anyone to make bold wrongously to trouble them or anyone

cont[a] hanc concessionem nr̃am vexare p̃sumat iniuste sup nr̃am plenariã forisfacturam · Test' · Willo Cumyn de kelebrid · Willo de Sc̃o Claro · Symone ffraȝ · pat'cio de Grahaṁ ap$_{d}$ kyncardyñ vicesimo septimo die Ianuari Anno regni nr̃i vicesimo octauo.

VI.

Robertus dei gr̃a Rex Scottoꝝ Om̄ibus probis hominibꝫ tocius t̃re sue Salt̃m Sciatis nos dedisse concessisse et hac p̃senti Carta nr̃a confirmasse Burgensibus ꝛ comunitati burgi nr̃i de Abirdeñ Curam ꝛ Custodiam tocius foreste nr̃e de Le Stoket cum ptinenciis Tenend ꝛ Habend dc̃o Burgo Burgensibus ꝛ Comunitati eiusd̃m ꝛ eoꝝ Heredibus ꝛ Successoribꝫ p om̄es Rectas metas suas ꝛ diuisas cū om̄ibus Lib̃tatibꝫ · cōmoditatibꝫ ꝛ aisiam̃tis ad dc̃am forestam spectantibus seu de iure vel consuetudine in futurum Spectare valentibus · saluis nobis viridi ꝛ venacione tantū · Concedim[9] eciam eid̃m Burgo nr̃o · Burgensibus ꝛ Comunitati eiusd̃m · ꝛ eoꝝ Heredibus et Successoribus q̃ nullus Iusticiari[9] forestaꝝ nr̃aꝝ · nec aliquis

of them in despite of this our grant, on pain of our full forfeiture. Witnesses: William Cumyn of Kilbride; William of Saint Clair; Symon Fraser; Patrick of Graham. At Kincardine, the twenty-seventh day of January, in the twenty-eighth year of our reign.

VI.

King Robert I. grants to the burgesses of Aberdeen the custody of his forest of the Stocket. 24th October [1313].*

Robert, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that we have given, granted, and by this our present charter confirmed to the burgesses and community of our burgh of Aberdeen the care and custody of our whole forest of the Stocket with the pertinents; to be held and had by the said burgh, burgesses, and community thereof, and by their heirs and successors, by all their right meiths and marches, with all the privileges, conveniences, and easements belonging, or which shall in future belong, whether by law or by usage, to the said forest; reserving for ourselves only the green wood and the game. We also grant to the same our burgh, to the burgesses and community thereof, and to their heirs and successors, that no justiciar of our

* Robert I. began to reign 27th March, 1306.

alius Regni nr̃i cuiuscūq; condic̃onis fuit siue status se int°mittat · seu cognicionem heat sup defectibus dc̃e foreste nr̃e · p̃t p̃sonam nr̃am ꝛ Camariū nr̃m qui p ẽpe fuit firmit̃ inhibentes ne quis cont[a] hanc concessionem nr̃am ipos Burgenses vł Comunitatem · hedes suos uł successores vexare p̃sumat iniuste sup nr̃am plenariam forisfacturam · In cui[9] Rei testiõm p̃senti Carte nr̃e sigłłm nr̃m p̃cepim[9] apponi · Testibus Edwardo de Bruis Comite de Carrick ꝛ Dño Galwidie fratre nr̃o · Dauid Comite Atholie Constabulario nr̃o Scocie Thoma Ranulphi Comite Morauie nepote nr̃o · Iohne de Meneteth · Gilbto de Haia · Alexo de Meyners · ꝛ Robto de Keth Marescallo nr̃o Scocie Militib; · Apud Dunde: vicesimo quarto die Octob̃ · Anno Regni nr̃i · Octauo.

VII.

Robtus dei gratia Rex Scotto4 · Omnib; Probis Hominib; tocius t̃re sue Salt̃m · Sciatis nos concessisse et hac p̃senti Carta nr̃a confirmasse Burgensib; et Comunitati Burgi nr̃i de Abirden dilectis et fidelib; q ip̃i Heredes ꝛ Successores sui Nundinas illas quas excercere solebant in festo

forests, and no other person of our kingdom, of whatsoever condition or rank he be, shall interfere with, or take cognisance of the neglect of our said forest, save our own person and our Chamberlain for the time being; strictly forbidding anyone to make bold, in despite of this our grant, wrongously to trouble the same burgesses or community, their heirs or successors, on pain of our full forfeiture. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: Edward of Bruce, Earl of Carrick, and Lord of Galloway, our brother; David, Earl of Athole, our Constable of Scotland; Thomas Ranulph, Earl of Moray, our nephew; John of Menteith; Gilbert of Hay; Alexander of Meyners; and Robert of Keith, our Marischal of Scotland—Knights. At Dundee, the twenty-fourth day of October, in the eighth year of our reign.

VII.

King Robert I. alters the beginning of the Aberdeen fair from the feast of the Holy Trinity to Low Sunday. 8th December [1319].

ROBERT, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that we have granted, and by this our present charter have confirmed, to the beloved and trusty burgesses and community of the burgh of Aberdeen, that the fair which they were wont to engage in on the feast of the

Sc̃e Trinitatis ex infeodac̃one p̃decessor̃ ñror̃ Regum Scocie excerceant dece᷑o teneant ⁊ possideant in dc̃o Burgo singulis annis a die dm̃ca qua cantat᷒ quasi modo geniti p vnam quindenam sequentem plene ⁊ continue duraturam sub firma pace ⁊ protec̃ione nr̃a · In cui᷒ Rei testīom̄ p̃senti Carte nr̃e Sigillum nostrum p̃cepim᷒ apponi · Testib᷒ · Bernardo Abbate de Abirbrothoc · Cancell᷑o nr̃o · Thoma Ranulphi Comite Morauie ⁊ Dño Vallis Anandie ⁊ Mannie · Wal᷑o Senescallo Scocie · Iacobo Dño de Duglas · Rob̃to de Keth Marescallo nr̃o Scocie · Dauid de Lindesay ⁊ Dauid de Berkelay militib᷒ · apud Berewicum sup̃ Twedam Octauo die Decembr̃ · Anno Regni nr̃i Quarto decimo.

VIII.

Robertus dei gracia Rex Scottor̃ · Omnib᷒ probis hominib᷒ tocius terre sue Salt̃m : Sciatis Nos de consilio ⁊ ordinac̃oe p̃bor̃ Regni nost' cōcessisse ⁊ ad ffeodofirmā assedasse · ac p̃senti carta nr̃a confirmasse burgensib᷒ nr̃is ⁊ cōitati burgi nr̃i de Ab̃dene burgū nr̃m de Ab̃dene p̃dc̃m ⁊

Holy Trinity by infeftment of our predecessors Kings of Scotland, they, their heirs and successors, shall engage in and otherwise hold and possess in the said burgh yearly from the Sunday on which "*Quasi modo geniti*" * is sung for the space of a fortnight thereafter, to continue fully and without break, under our sure peace and protection. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: Bernard, Abbot of Arbroath, our Chancellor; Thomas Ranulph, Earl of Moray, Lord of Annandale and Man; Walter, Steward of Scotland; James, Lord of Douglas; Robert of Keith, our Marischal of Scotland; David of Lindesay and David of Berkelay, Knights. At Berwick-on-Tweed, the eighth day of December, in the fourteenth year of our reign.

VIII.

King Robert I. grants in perpetual feu to his burgesses of Aberdeen, for a yearly payment of £213 6s. 8d. sterling,† his burgh of Aberdeen and his forest of the Stocket. 10*th December* [1319].

ROBERT, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that, with the advice and approval of the good men of our kingdom, we have granted and set to feufarm, and by our present charter

* "*Quasi modo geniti*"—the opening words of the Introit in the Mass for the first Sunday after Easter.

† See Charter by James VI. of date 17th July, 1617, *postea*.

fforestam nr̃am del Stoket cū ꝑtinēciis Tenend ⁊ habend ꝑdc̃is burgens⁹ ⁊ cōitati eo⁊ · heredib⁹ ⁊ successorib⁹ in ꝑpetuū · de no᷒ ⁊ heredib⁹ nr̃is in ffeodo ⁊ hereditate ⁊ in li᷒o burgag⁹ · ꝑ om̄es rectas metas ⁊ diuisas suas · cū Molēdinis · Aquis · piscariis · Minuť Custumis · Tolloncis · Curiis · ponderib⁹ · Mensur⁹ · ⁊ cū om̄ib⁹ aliis Li᷒tatib⁹ · Cōmoditatib⁹ · Aysiamētis · Consuetudiᵬ⁹ ⁊ iustis ꝑtinēciis suis · ad Assedacōem dc̃o⁊ burg̃ ⁊ fforeste · de iure ⁊ cōsuetudīe sp⁽ᶜ⁾tantib⁹ · vel sp⁽ᶜ⁾tare valentib⁹ in ffutur⁹ · Reddendo inde no᷒ annuatī · vł heredib⁹ nr̃is · dc̃i burgñ · eo⁊ ħedes ⁊ successor⁹ vt s⁽ª⁾dc̃m est · Ducētas ⁊ Tresdecē lib⁽ª⁾s · sex solid ⁊ octo denar⁹ st̄ling⁹ tant⁹ · in Cam̄am nr̃am ad duos anni tr̃os · vidlc⁹ Medietatē ad ffest' Penth̄ ⁊ aliā Medietat' ad ffest' Sc̄i Martini ī hyeme · ꝑ om̄i alio seruic̃o · exactōe · ꝙsuetudīe · seu demand · Volum⁹ eciā ⁊ ꝙcedim⁹ ꝙ dc̃i burgñ nr̃i · ħed ⁊ successor⁹ eo⁊d · li᷒e ⁊ sine impedimēto c⁹cūq⁹ · in Campis Moris · ⁊ aliis q'b⁹cūq⁹ Locis dc̃e fforeste ex⁽ª⁾ boscū del Stoket ꝑdc̃o burg⁹ de Ab̄dene ꝑ⁽º⁾x adiacentē · possint oīodam culturā face⁹ · Mansiones ⁊ edificia ꝙst⁽ᵘ⁾ere · ffocał fode⁹ · ac alias q⁽ª⁾scūq⁹ ꝙmoditat⁹ exc̃cere · ꝑfice⁹ ⁊ ordinare · ꝑut meli⁹ viderint expedire · Saluo tant⁹ no᷒ ⁊ ħedib⁹ nr̃is · virid g⁽º⁾ssa⁊ arbo⁊ in ꝑdc̃o bosco et venacōe simiłr si in ead fforesta

confirmed to our burgesses and community of our burgh of Aberdeen, our foresaid burgh of Aberdeen and our forest of the Stocket with the pertinents; to be held and had by the foresaid burgesses and community, their heirs and successors, for ever, of us and our heirs in fee and heritage and in free burgage, by all their right meiths and marches, with mills, waters, fishings, petty customs, tolls, courts, weights, measures, and with all other privileges, conveniences, easements, usages, and their just pertinents by law and usage belonging, or which shall in future belong, to the sett of the said burgh and forest; paying yearly therefor the said burgesses, their heirs and successors, to us or to our heirs, as aforesaid, two hundred and thirteen pounds, six shillings and eightpence sterling only, into our Treasury at two terms yearly, half at the feast of Pentecost and the other half at the feast of Saint Martin in winter, in place of all other service, exaction, usage or demand. It is also our will and we grant that our said burgesses, the heirs and successors thereof, freely and without hindrance from anyone, in the fields, moors and other portions whatsoever of the said forest outwith the wood of the Stocket, hard by the foresaid burgh of Aberdeen, may perform every kind of tillage, erect dwelling-houses and other buildings, dig fuel, and exercise, carry out and regulate other conveniences whatsoever, as they shall see fit to arrange: reserving for ourselves and our heirs only the green-growth of the great trees in the foresaid wood, and game like-

casualr᷒ inuẽiat' · Concessim᷒ eciã eid burgo nr̃o · burgñ ꝛ Cõitati ei᷒d · hed̃q, ꝛ ssuccessoribꝫ suis · q nll᷒ Iusticiari᷒ fforest᷒ vl aliq's ali᷒ Regni nr̃i cui᷒cũq, qdicõis fuerit siue stat᷒ sup Custodia p̃sent᷒ Concessionis ꝛ infeodacõis nr̃e · vel sup defectibꝫ ei᷒d se aliq[a]lit᷒ int[o]mittant aut qgc̃oem habeant · nisi tant᷒ Camar̃ nr̃ q' p tẽpe fuit · Ita tam̃ q q'cũꝫ sr̃ hui᷒mõi defectibꝫ aut sr̃ destc̃oe · Virid aut Venac̃ois in dc̃a fforesta Legalit᷒ quict᷒ fuit · penã hui᷒mõi Criminis sb̃portet ī pp'a psona ꝛ nlls ali᷒ · Principali tam̃ qcessione ꝛ infeodac̃oe nr̃a in suo Robore f'mit᷒ ꝛ ppetuo pmanente · In cui᷒ Rei Testimoniũ p̃sentibꝫ sigillu nr̃m p̃cepim᷒ apponi · Testibꝫ Willmo ꝛ Willmo Sc̃i Andr ꝛ Donkeld Epis̃ · Bernardo Ab̃be de Ab̃brothoc᷒ ꝛ Cancellar̃ nr̃o Thm Ranulph Comit̃ Morauī ꝛ Dño Vall Anand ꝛ Manñ · Rob̃to de Keth Mariscall nr̃o · Gilb̃to de Haya Const᷒ nr̃o · Alexandro ffras᷒ Camar̃ nr̃o Militibꝫ : Apud Berwyc sr̃ Twed · Decĩo die Decemb̃ Anno Regni nr̃i · Quarto decimo.

IX.

Rob̃tus dei gr̃a Rex Scottoꝝ · Om̄ibꝫ probis hom̄ibꝫ tocius tr̃e sue ·

wise, should any such chance to be found in the same forest. We have likewise granted to the same our burgh, the burgesses and community thereof, their heirs and successors, that no justiciar of the forest or any other person of our kingdom, of whatsoever condition or rank he be, shall in any way interfere with or take cognisance of the administration of the present grant and our infeftment, or of infringements thereof, save only our Chamberlain for the time being; but so that whosoever shall be lawfully convicted of such infringements, or of destroying the green wood, or the game in the said forest, shall undergo the punishment of such crime in his own person, and no other: the chief grant, however, and our infeftment remaining in full force strictly and for ever. In witness whereof we have ordered our seal to be appended to these presents. Witnesses: William, Bishop of Saint Andrews, and William, Bishop of Dunkeld; Bernard, Abbot of Arbroath, and our Chancellor; Thomas Ranulph, Earl of Moray, and Lord of Annandale and Man; Robert of Keith, our Marischal; Gilbert of Hay, our Constable; Alexander Fraser, our Chamberlain—Knights. At Berwick-on-Tweed, the tenth day of December, in the fourteenth year of our reign.

IX.

King Robert I. frees his burgesses of Aberdeen from payment of duty on ale and on red fish and white fish. 25th September [1323].

ROBERT, by the grace of God King of Scots, to all good men of his whole

Salt̃m · Sciatis nos · concessisse ⁊ hac ꝑsenti Carta nr̃a confirmasse Burgensib; nr̃s de Abirden · q^d i ꝑi et eo; Successores Libr · sint ⁊ in ꝑpetuum quieti de om̃ioda assisa seruisie ⁊ piscis rubei ⁊ albi · quam assisam tempib; retroactis soluere consueuerunt · Volum⁹ tamen · q dc̃i Burgenses · de ꝑdta assisa Waltero de Berkelay Militi nūc vicecomiti nr̃o de Abirden satisfaciant et plenarie respondeant · q^adiu ibidm nr̃ stetit vicecomes : In cui⁹ rei tesstiom presenti Carte nr̃e Sigillum nr̃m ꝑcepimus apponi · Testib; Bernardo Abbate de Abirbrothoc Cancellar̃o nr̃o · Walt̃o Senescallo Scocie · Iacobo dn̄o de Duglas · Alex̃o ffras · camario nr̃o · ⁊ Gilberto de Haya constabulario nr̃o · Militib; Apud Lacum de Leuyn · vicesimo quinto die Septembr · Anno Regni nr̃i Octauo decio.

X.

Robtus dei gr̃a Rex Scotto; Iusticiariis · Vicecomitibus · ꝑpōitis · et eo; ballis · ceꝛisq; fidelib; suis vniu̇sis ad quos ꝑsentes ltre pueni̇nt Salutem · Sciatis · q concessimus burgensib; nr̃is · et comunitati · Burgi de Abirden ·

land, greeting. Know ye that we have granted, and by this our present charter have confirmed, to our burgesses of Aberdeen, that they themselves and their successors shall be free and for ever quit of all manner of duty on ale and on red fish and white fish, which duty they have been wont to pay in times past. It is, however, our will that the said burgesses shall pay and fully account for the said duty to Walter of Berkelay, Knight, our present sheriff of Aberdeen, so long as he shall continue to be our sheriff there. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: Bernard, Abbot of Arbroath, our Chancellor; Walter, Steward of Scotland; James, Lord of Douglas; Alexander Fraser, our Chamberlain; and Gilbert of Hay, our Constable—Knights. At Loch Leven, the twenty-fifth day of September, in the eighteenth year of our reign.

X.

King Robert I. grants to his burgesses of Aberdeen all privileges granted by his predecessors, freeing them from all exactions outwith the burgh. 6th February $[13^{29}_{30}]$.

Robert, by the grace of God King of Scots, to justiciars, sheriffs, provosts, and their baillies, and to all the rest of his trusty subjects to whom the present letters shall come, greeting. Know ye that we have granted to our burgesses and

oīes liḃtates consuetudines · et · iura · de · quib; ꝑ ꝑdecessores nr̃os · fuerūt infeodati tempib; retroactis · Ita ꝙ de prisis · cariagiis capc̃onibus · attachiamentis · vexac̃onib; · ex̃t burgū · aut exac̃onib; aliis quib;cumq; nō grauentr ab aliquib; Concessimus etiam eisdem plenariam potestatem · capiendi · incarcerandi · et puniendi oīes illos ꝙ qui in dc̃o Burgo nr̃o de Abirden armati incedunt conf̃ statuta nr̃a · et specialit ꝑ burgor̃ nr̃or̃ · Quare firmit ꝑ phibem⁹ · ne quis conf̃ hanc concessionem nr̃am · ip̃os vexare ꝑsumat iniuste · Sub pena omniū · que erga nos poterunt amitti · In cuius Rei testimoniū has ltras nr̃as sibi fieri fecim⁹ patentes · Apud Geruan in Carryc · Sexto die ffebruarij · Anno Regnj nr̃i vicesimo ttio.

XI.

Roḃtus dei gr̃a Rex Scottor̃ · Iusticiarijs vicecomitib; ꝑpositis ⁊ eor̃ balliuis ceterisq; fidelib; suis vniu̇sis ad quos ꝑsentes ltre pueṅint · Salt̃m Sciatis ꝙ concessim⁹ burgensib; nr̃is et cōitati burgi de Abirden oīes liḃtates consuetudines et iura de quib; ꝑ ꝑdecessores nr̃os fuerūt infeodati

community of the burgh of Aberdeen all the privileges, usages and rights in which they were infeft by our predecessors in times past, so that they be not burdened by anyone with rights of carriage, captions, arrestments, annoyances outwith the burgh, or with any imposts whatsoever. We have also granted to the same full power to seize, imprison and punish all those who carry arms in our said burgh of Aberdeen contrary to our statutes, and especially to those of our burgesses. Wherefore we strictly forbid anyone to make bold wrongously to trouble them in despite of this our grant, on pain of all things which can be forfeited to us. In witness whereof we have caused these our letters to be made patent. At Girvan in Carrick, the sixth day of February, in the twenty-third year of our reign.

XI.

King Robert I. grants to his burgesses of Aberdeen all privileges granted by his predecessors, freeing them from all exactions outwith or within the burgh. 10*th March* [13^{29}_{30}].

Robert, by the grace of God King of Scots, to justiciars, sheriffs, provosts, and their baillies, and to all the rest of his trusty subjects, to whom the present letters shall come, greeting. Know ye that we have granted to our burgesses and community of the burgh of Aberdeen, all the privileges, usages and rights in which they were infeft by our predecessors in times past, so that they be not inconveni-

tempib3 retᵒactis · Ita q de prisis cariagiis capc̃onib3 attachiamēt̃is vexacionib3 exª burgū vł infra aut exactionib3 alijs qⁱb3cumq; indebitis nō g̃uent̃ ab aliquib3 tempe nūdinaꝝ vel temp alio · Concessimꝰ eciā eisdem plenariā potestatē capiendi incarcerandi et puniendi om̃es illos qui in dc̃o burgo nr̃o de Abirden armati incedunt cont̃ statuta nr̃a ⁊ specialiꝫ burgoꝝ nr̃oꝝ · Quare firmiꝫ prohibemus : ne quis cont̃ hanc cōcessionē nr̃am iꝑos vexare ꝑsumat iniuste sub pena om̃ī q̃ erga nos poꝫunt amitti · In cuiꝰ Rei testioniū has ł̃ras nr̃as sibi fieri fecimus patentes · Apud Inchemichell in Galwydia · Dc̃o die Marcij · Anno Regni nr̃i · Vicesimo ꝫtio.

XII.

Dauid dei gr̃a Rex Scottoꝝ · Om̃ib3 probis hōib3 tocius ꝫre sue salt̃m · Sciatis nos concessisse ⁊ ex deliberato consilio nr̃o hac ꝑsenti carta nr̃a confirmasse burgensib3 nr̃is de Abirdene fidelib3 nr̃is ⁊ comunitati burgi nr̃i ꝑdc̃i om̃es lib̃tates consuetudines ⁊ iura de quib3 ꝑ ꝑdecessores nr̃os Reges Scocie quoscunq; infeodati fuerunt ⁊ quib3 iuste ⁊ scdm

enced by anyone at the time of the fair or at any other time with rights of carriage, captions, arrestments, annoyances outwith or within the burgh, or with any non-leviable imposts whatsoever. We have also granted to the same full power to seize, imprison and punish all those who carry arms within our burgh of Aberdeen contrary to our statutes, and especially to those of our burgesses. Wherefore we strictly forbid anyone to make bold wrongously to trouble them in despite of this our grant, on pain of all things which can be forfeited to us. In witness whereof we have caused these our letters to be made patent. At Inchmichael in Galloway, the tenth day of March, in the twenty-third year of our reign.

XII.

King David II. confirms to his burgesses of Aberdeen all the privileges granted by his predecessors. 21st February $[134\frac{2}{3}]$.*

David, by the grace of God King of Scots, to all good men of his whole land, greeting. Know ye that we have granted, and of our deliberate judgment have by our present charter confirmed, to our trusty burgesses of Aberdeen and to the community of our foresaid burgh, all the privileges, usages and rights in which they were infeft by our predecessors, Kings of Scotland, whomsoever, and of which they have, rightly and according to the laws of the burghs, availed themselves ;

* David II. began to reign 7th June, 1329.

leges burgoꝝ vsi sunt oppressione siue subuersione lib̃tatū suaꝝ quas ꝑ guerram nr̃am in absencia nr̃o hucusq; passi sunt non obstante ꝛ licet dc̃i burgenses nr̃i ꝛ comunitas ad instanciam nr̃am vel ex ꝑmissione contra lib̃tates ꝛ iura sua eis ꝛ Regib; Scocie ꝑdecessorib; nr̃is concessa dampna ꝛ iniurias de facto sint ꝑpessi · Volum⁹ tamen q; lib̃tates sue consuetudines ꝛ iura sua sibi ꝛ successorib; suis deceꝰo integra ꝑmaneant ꝛ illesa · Quare firmiꝰ ꝓhibem⁹ ne quis contra hanc concessionem nr̃am ip̃os vexare grauare seu inquietare ꝑsumat sup nr̃am plenariam forisfacturam · In cui⁹ rei testimoniū ꝑsenti carte nr̃e sigillum nr̃m ꝑcepim⁹ apponi · Testib⁹ Rob̃to Senescallo Scocie Nepote nr̃o Duncano Comite de ffyf Patricio de Dunbarr Comite Marchie · Rob̃to de Keth̃ Marescallo nr̃o Scocie · Malcolmo fflemyng' ꝛ Thoma de Carnoto Cancellario nr̃o Militib; in pleno consilio nr̃o tento · Apud Abirdene vicesimo primo die ffebruar̃ · Anno regni nr̃i Tercio decimo.

XIII.

Dauid dei gr̃a Rex Scottoꝝ Om̄ib; probis hominib; suis tocius ꝛre sue Salt̃m · Sciatis q; remisim⁹ ꝛ totaliꝰ imꝑpetuū ꝓdonauim⁹ ac quietum

without prejudice from the oppression or the subversion of their privileges which they have hitherto undergone during our war in our absence. And although our said burgesses and community have in truth suffered losses and injuries at our instance or by our permission contrary to their privileges and rights granted to them by the Kings of Scotland our predecessors; it is, however, our will that their privileges, usages and rights shall henceforth endure for them and their successors undiminished and unimpaired. Wherefore we strictly forbid anyone to make bold in despite of this our grant to trouble or annoy or inconvenience them, on pain of our full forfeiture. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: Robert, Steward of Scotland, our nephew; Duncan, Earl of Fife; Patrick of Dunbar, Earl of March; Robert of Keith, our Marischal of Scotland; Malcolm Flemyng; and Thomas of Charteris, our Chancellor—Knights. In our full Council held at Aberdeen the twenty-first day of February, in the thirteenth year of our reign.

XIII.

King David II. remits to the burgesses of Aberdeen all his illwill and grounds of action against them. 1st *July* [1345].

David, by the grace of God King of Scots, to all his good men of his whole

clamauim⁹ oīib3 burgensib3 ⁊ singłis ac comunitati burgi nr̄i de Abirdeñ ōem racancorem [*sic*] animi nr̄i quem erga eosdem ⁊ eo⁊ quemlibt habuim⁹ vel here po⁹im⁹ ex causa seu moc̄one quacunq; vsq; in diem confec̄onis p̄senciū vna cum oīimodis ac̄onib3 petic̄oib3 ⁊ t^ansgressionib3 que eisdem vel eo⁊ alicui ex parte nr̄a aliqualit⁹ obici po⁹unt · Quare firmit⁹ p̄hibem⁹ ne quis eisdem burgensib⁹ nr̄is ⁊ comunitati burgi p̄dci malum molestiam calumpniā iniuriā dampnū aut g^auamen aliquod inferat quoquo modo cont^a hanc remissionem p̄donac̄oem ⁊ quietāclamac̄oem nr̄am · In cui⁹ rei testimoniū has ł̄ras nr̄as sibi fieri fecim⁹ patentes · Apud Edynburgh p̄mo die Iulij · Anno regni nr̄i Septimo decimo.

XIV.

Robertus dei gr̄a · Rex · Scotto⁊ Oīibus p̄bis hoīibus tocius ⁹re sue clericis ⁊ laicis Salutē Sciatis nos dedisse concessisse ⁊ hac ⁹ñti carta nr̄a confirmasse fidelibus nr̄is burgensib3 ⁊ cōitati burgi nr̄i de Abyrden totā

kingdom, greeting. Know ye that we have remitted, and have wholly for all time given up, and have declared at rest, as concerns all the individual burgesses and the community of our burgh of Aberdeen, all our illwill which we had or could have had towards them or any one of them, from any cause or motive whatsoever, to the date of the completion of these presents; together with all manner of actions, petitions and charges which could in anyway have been brought at our instance against them or any one of them. Wherefore we strictly forbid anyone to inflict on the same our burgesses and community of the foresaid burgh any hurt, annoyance, misrepresentation, injury, loss or inconvenience, in any manner whatsoever, in despite of this our remission, pardon and acquittance. In witness whereof we have caused these our letters to be made patent. At Edinburgh, the first day of July, in the seventeenth year of our reign.

XIV.

King Robert II. grants to his burgesses of Aberdeen in fee and heritage, in free burgage, the land of Rubislaw resigned by Andrew de Inchesthur. 20th August [1379].*

Robert, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that we have given, granted, and by this our present charter confirmed, to our trusty burgesses and community

* Robert II. began to reign 22nd February, $137\frac{0}{1}$.

ꝑrā tenementi de Rubbyslaw cū ꝑtinenciis iacentē iux' burgū nr̃m de Aber̃en que fuit Andree de Inchēthur in liber̃o tenemento ⁊ quā idm Andreas nō vi aut metu · ductus nᶜ erroꝛ̃ lapsus S3 mera ⁊ spontanea voluntate sua nobis ꝑ fustū ⁊ baculū sursum reddidit purq; ⁊ simplicit̃ resignauit ac totū ius ⁊ clameū que in dicta terra cū ꝑtinenciis habuit vel haber̃ potuit ꝑ se ⁊ ħedib3 suis ōnio q'et' clamauit in ꝑpetuū Tenend ⁊ habend eisdm burgensibus ⁊ cōitati ac eoꝝ ħdibus ⁊ Successoribus de nobis ⁊ ħedibus nr̃is in feodo ⁊ ħeditate in liber̃o burgagio ꝑ om̄es rectas metas ⁊ diuisas suas cū om̄ibus ⁊ singulis liber̃tatib3 cōmoditatib3 aysiamentis ⁊ iustis ꝑtinenciis suis q'buscunq; ad dc̃am ꝑtā spᶜtantib3 seu quoqᵒmodo iuste spᶜtaꝛ̃ valentib3 in futur' adeo liber̃e ⁊ quiete plenarie integᵉ ⁊ honorifice in om̄ib3 ⁊ ꝑ om̄ia Sicut ꝑdc̃i burgenses nr̃i ꝑdc̃m burgū nr̃m de Aber̃den de nobis ⁊ ħedibus nr̃is liber̃ius q'etius pleni⁹ integ̃us ⁊ honorificenci⁹ possident atq; tenent ffaciendo inde ānuatim vnā sectā ad it̃ camarie nr̃e infra burgū de Aber̃den Et Reddendo inde nobis ⁊ ħedibus nr̃is ānuatim in cama nr̃a ꝑdicti burgenses nr̃i ⁊ ħedes sui ⁊ successores vnū denariū argenti nōie ānui reditus ad quodlib3 festū Pentecost · si petatr ꝑ om̄ibus alijs fuicijs

of our burgh of Aberdeen, the whole land of the tenement of Rubislaw, with the pertinents, lying beside our burgh of Aberdeen, which belonged to Andrew de Inchesthur in free tenement, and which the said Andrew, not influenced by force or fear, nor led astray by error, but of his own accord and free will, rendered up to us by staff and baton, and purely and simply resigned; and for himself and his heirs wholly renounced for all time all right and interest which he had or could have in the said land with the pertinents. To be held and had by the said burgesses and community and their heirs and successors, of us and our heirs, in fee and heritage in free burgage, by all their right meiths and marches, with all and sundry privileges, conveniences, easements, and their just pertinents whatsoever belonging or which shall in any way in the future justly belong to the said land, as freely and quietly, fully, wholly and honourably, in all and through all, as our foresaid burgesses possess and hold our foresaid burgh of Aberdeen of us and our heirs freely, quietly, fully, wholly and honourably. Making therefor yearly a suit to the chamberlain ayre * within the burgh of Aberdeen, and paying therefor to us and to our heirs yearly in our treasury the foresaid our burgesses and their heirs and successors one silver penny in name of annual rent, at every feast of

* An itinerant court of justice. See the *Ancient Laws and Customs of the Burghs of Scotland*, Vol. I., p. 132.

exaciōibus seu demandis inde nobis ꝛ hedibus nr̃is aliq[a]lit̃ faciend · In Cui[o] Rei Testīonū p̃nti carte nr̃e nr̃m p̃cepim[o] apponi Sigillū · Testibus Ven̄abilibꝫ in xp̃o p̃ribus Witt̃mo ꝛ Iohane cancellario nr̃o Sc̃i andree ꝛ Dunkeldeñ ecc̃tia Epis̃ · Iohne p'mogenito nr̃o de Carr[e] Senesc̃ Scocie · Robto de ffyfe ꝛ de Meneteth filio nr̃o dilco · Witt̃mo de douglas ꝛ de Marr consang'nio nr̃o comitibus · Iacobo de Lyndesay nepote nr̃o carissimo ꝛ Alex̃o de Lyndesay consang'nio nr̃o militibus · Apud Kyndrocht in Marr Vicesimo die mensis Augusti · Anno Regni nr̃i Nono.

XV.

Robertus dei g[r]tia Rex Scottorum Omnibus probis hominibus tocius t̃re sue clericis et laicis Salt̃m · Sciatis nos dedisse concessisse et hac p̃senti carta nostra confirmasse burgensibus ꝛ comunitati burgi de Abbirdene licenciam nr̃am specialem faciendi construendi et edificandi vnam domum pro p̃torio suo cum solariis et selariis de longitudine octoginta pedum et triginta pedum in latitudine · vbicumq; sibi melius placuerit

Pentecost, if it be asked for, in place of all other services, exactions or demands in any way to be made thereupon by us or by our heirs. In witness whereof we have ordered our seal to be appended to our present charter. Witnesses: The venerable fathers in Christ, William and John, our Chancellor, Bishops of the churches of St. Andrews and Dunkeld; John, our eldest born, Earl of Carrick, Steward of Scotland; Robert, Earl of Fife and Menteith, our beloved son; William, Earl of Douglas and Mar, our cousin; James of Lindesay, our dearest nephew; and Alexander of Lindesay, our cousin—Knights. At Kindrocht in Mar, the twentieth day of the month of August, in the ninth year of our reign.

XV.

King Robert III. grants licence to the burgesses of Aberdeen to build a townhouse. 20th October [1393].*

Robert, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that we have given, granted, and by this our present charter confirmed, to the burgesses and community of the burgh of Aberdeen, our special licence to make, construct and erect a building to serve as their townhouse, with upper and under floors, eighty feet in length and thirty feet in breadth, wherever within the said burgh shall seem best to them;

* Robert III. began to reign 19th April, 1390.

infra · dictum burgum medio fori eiusdm burgi dūtaxat excepto · Tenend et habend dictam domū ptorij cum solariis et selariis suis ac ptinenciis vniūsis dtis burgensibus t comunitati ac eorū successoribꝫ impetuū in feodo t hereditate de nobis et hedibus nr̃is libe quiete plenarie integre et honorifice bene et in pace · In Cuius Rei testimoniū p̃ti carte Sigillum nr̃m pcepimus apponi · Testibus Venabilibus in xp̃o patribus Waltero et Matheo Sancti Andree et Glasguensꝫ ecclesiaꝝ episcopis · Roberto Comite de ffyf t de meneteth fratre nr̃o carissimo · Archebaldo comite de Douglas domino Galwidie · Jacobo de douglas domino de Dalketh · thoma de Erskine consanḡneis nr̃is dilc̃tis · militibus · Et Alexandro de Cocburn de langtoñ custode magni Sigilli nr̃i · Apud Perth · vicesimo die mensis Octobr · Anno Regni nostri Quarto.

XVI.

Jacobus dei gr̃a Rex scottorum Om̃ibus hominibꝫ clericis et laicis Regni nostri notum facimus nos auctor̃te nostra Regia teneri et tenore p̃ncium

excepting only the midst of the market place of the same burgh. To be held and had the said building of the townhouse with upper and under floors by the said burgesses and community and their successors for ever in fee and heritage, of us and our heirs, freely, quietly, fully, wholly and honourably, well and in peace. In witness whereof we have ordered our seal to be appended to the present charter. Witnesses: The venerable fathers in Christ, Walter and Matthew, Bishops of the churches of Saint Andrews and Glasgow; Robert, Earl of Fife and Menteith, our dearest brother; Archibald, Earl of Douglas, Lord of Galloway; James of Douglas, Lord of Dalkeith; Thomas of Erskine, our beloved cousins—Knights; and Alexander of Cocburn of Langton, Keeper of our Great Seal. At Perth, the twentieth day of the month of October, in the fourth year of our reign.

XVI.

King James I. binds himself to keep the burghs of Edinburgh, Perth, Dundee and Aberdeen scathless of the payment of 50,000 *merks undertaken by them for his ransom.** *26th March*, 1424.†

James, by the grace of God King of Scots, to all men of our kingdom, churchmen and laymen, we make known, that we by our royal authority are held, and by the

* See the Bond entered into by the Four Burghs, of date 16th February, $142\frac{3}{4}$, *postea*.

† James I. began to reign 4th April, 1406.

firmiter et fideliter obligari dilectis ⁊ fidelibꝫ nris burgensibꝫ videlic̃ ꝑpōitis ⁊ balliuis et comunitatibꝫ quatuor burgorum regni nr̃i predti S de Edinburgth Perth Dunde ⁊ Abirden ac eorum hedibꝫ ⁊ successoribꝫ ad obſuand ipos ⁊ hedes suos ⁊ successores ⁊ eorum quemlib indempnē seu indempnes de solucone quiquaginta millium marcaꝝ pro qua sum̄a Soluenda serenissimo primari henrico Regi Anglie pro ñra liberacone predti ꝑpōiti ⁊ cōitates ⁊ balliui quatuor burgoꝝ ad mandatum nostrum sunt litteratorie obligati ad terminos inde concordatos · Et ad hoc faciendū ut premissum c̃ sine excepc̃oe reuocatōne aut impedimēto quibuscūq; · Obligamus nos auctoritate nr̃e regie magestatis heredes nr̃os et successores Reges scocie firmiter ⁊ sine fraude pñciū p tenorem Insup promittim⁹ ⁊ curabim⁹ nos facere om̄es et singl̃os ꝑpōitos et balliuos ac cōitates ceteroꝝ burgoꝝ regni nostri se heredes suos ⁊ successores sub suis cōibꝫ sigillis obligare in forma sufficienti prepōitis et balliuis dtoꝝ quatuor burgorum ad assistend ⁊ adherendum eisd in solutōe dte sum̄e pec̃nie in casum et euentum quibꝫ pro ea distringantur siue eā soluāt in toto ł in pte et ad participādū et contribuend cum eisd iuxta vires in om̄i onere tā occasione p'ncipał solucois prefate sum̄e

tenor of these presents are firmly and faithfully bound to our beloved and trusty burgesses, to wit, to the provosts and baillies and communities of the Four Burghs of our kingdom aforesaid, that is to say, of Edinburgh, Perth, Dundee and Aberdeen, and their heirs and successors, to keep them and their heirs and successors, and any one thereof, scathless of the payment of fifty thousand merks; for the payment of which sum to the most illustrious Prince Henry, King of England, for our ransom, the foresaid provosts and communities and baillies of our Four Burghs were at our command bound by writ at the terms therein agreed. And for the performance of this as before set forth, without exception, revocation or impediment whatsoever, by the authority of our Royal Majesty, we bind ourselves, our heirs and successors Kings of Scotland, firmly and without fraud by the tenor of these presents. Moreover we promise and will undertake to cause all and sundry the provosts and baillies and communities of the rest of the burghs of our kingdom to bind themselves, their heirs and successors, under their common seals in sufficient form, to the provosts and baillies of the said four burghs, to assist and adhere to them in payment of the said sum of money in the case and event of their being distrained therefor, or of their paying it in whole or part; and to share and contribute with them according to their ability in every burden, as well in the event of the principal payment of the said sum not being made, as of the charges

pēnie nō solute q^{a} sūptuū et exp̄nsaꝝ circa factum huīoi obligaco̅is iam factoꝝ ꝛt imposterum fiendoꝝ · In Cuius rei testimonium sigillum nr̄m p̄ntib3 iussimus apponi ap^{d} dūelmiā xxvj die mēs^{o} marcii Anno d̄ni millesimo quadragētessimo vicesimo quarto et Regni nostri xviii^{o}.

XVII.

Jacobus dei gratia Rex Scotorum omnibus probis hominibus suis ad quos p̄ntes ꝛre pueñint salutem Sciatis q̄ de avisamento et deliberaci^{o} Consilii nr̄i concessimus supsedere de Custumis quibuscūq; ꝑcipiendis de bonis Anglicorum aliquib3 in hoc Regno nr̄o viz · ad burgum nr̄m de perth Et ab hinc in omnibus partibus borialib3 Regni nr̄i predicti importandis exceptis solūmodo Custumis pannorum et de qualibet celdra victualiū triginta duob3 denariis et de Cado salmonū duob3 solid^{o} Et q̄ omnes ligii nostri de partibus predictis viz. de perth et ab hinc ad fines boriales Regni nr̄i supradicti de omnibus Custumis quorūcūq; bonorum Anglicorum ꝑsoluend^{o} Necnō et de Custumis pisciū vbiq; locoꝝ

and expenses incurred concerning the making of this obligation, both those already made and those afterwards to be incurred. In witness whereof we have ordered our seal to be appended to these presents at Durham, the twenty-sixth day of the month of March, in the year of our Lord one thousand four hundred and twenty-four, and of our reign the eighteenth.

XVII.

King James II. abolishes all customs on English goods imported at Perth or Northward therefrom, except on cloths, victuals and salmon. 30*th July* [1446].*

James, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that by the advice and recommendation of our Council we have granted the abolition of customs whatsoever levied on any goods of Englishmen in this our kingdom, namely, goods imported at our burgh of Perth and thence in all the Northern parts of our kingdom aforesaid,—excepting only the customs on cloths, and on every chalder of victuals thirty-two pence, and on the barrel of salmon two shillings,—and that all our lieges of the parts aforesaid, namely, of Perth and thence to the Northern limits of our kingdom aforesaid, shall be free and exempt from all customs payable on any English goods whatsoever, as well as from customs on fish in any places

* James II. began to reign 20th February, $143\frac{6}{7}$.

infra Regnū nr̃m predictum liberi sint et exempti hac nr̃a concessione vsq; ad nostram etatem viginti vnius ānorum Et deinde ad nr̃am voluntatem absq; preiudicio nr̃i et mercatorū ligiorumq; nostrorum predictorum duratur' Et hoc omnib; quorū interest vel interesse potit in futurum notificamus p p̃ntes Dat̃ sub magno Sigillo nr̃o Apud Edinburgh die pēultimo mensis Julij Anno Regni nr̃i decimo.

XVIII.

Jacobus dei gr̃a Rex scotorū Omnibus probis hominibus tocius terre sue clericis et laicis salutem Sciatis nos p sing'lari fauore quem gerim⁹ erga dilectos nr̃os mercatores burgenses et cōmunitatem burgi nr̃i de Aberdene et pro suis gratuitis fuiciis nobis hactenus multiplicit impens; dedisse concessisse et hac p̃nti carta nr̃a confirmasse p nobis nr̃isq; heredibus et successoribus p ppetuo prefatis burgensibus et cōmunitati burgi nr̃i de Aberdene eorūq; heredibus et successoribus burgensibus eiusdē burgi vt ip̃i ppetuis futuris temporibus liberi absoluti ⁊ quieti sint ab om̃i Solucone custume salis et pelliū subsc̃ptarū wlgarit dictarū skorlingꝯ skaldingꝯ futefell lent̃nwar lambskynnys todskynnys calf-

within our kingdom aforesaid. This our grant to remain in force till we reach the age of twenty-one years, and thenceforward at our pleasure, without prejudice to us and to our merchants and lieges aforesaid. And this we make known by these presents to all whom it concerns, or may concern in time to come. Given under our great seal at Edinburgh, the thirtieth day of the month of July, in the tenth year of our reign.

XVIII.

King James II. relieves his merchants and burgesses of Aberdeen of all customs on salt and skins. 6th December, 1452.

James, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that we, for the singular favour that we bear to our beloved merchants, burgesses, and community of our burgh of Aberdeen, and in return for their manifold gratuitous services done to us heretofore, have given, granted, and by this our present charter confirmed, for us and for our heirs and successors for ever, to the foresaid burgesses and community of our burgh of Aberdeen and to their heirs and successors, burgesses of the same burgh, that they be in all time coming free, discharged and quit of all payment of custom on salt and on the skins underwritten, commonly called skorlings, skaldings, futefell,

skynnys cunyngskynnys ottirskynnys et foumartskynnys Et mercatores ac burgenses de Aberdene eorūq; heredes et successores dicti burgi burgenses de solucõne dicte Custume salis et pelliū predictarū absoluim⁹ exoneramus ⁊ quittos clamam⁹ ꝑ nobis et nr̃is successoribus ꝑ ꝑpetuo ꝓtea volum⁹ ac ꝑ nobis et nr̃is successoribus concessimus dictis burgensibus et cõmunitati de Aberdene liberā potestatē atq; facultatē vendendi mercandizandi vel in excambiū aut alī ꝑmutandi tam extraneis ꝑsonis et non liberis qª quibuscūq; aliis ꝑsonis ⁊ tam infra nr̃m Regnū qª extra mercimonia ꝓdicta Salis et pelliū absq; quacūq; custuma per iꝑos extraneos aut alios quoscūq; quibuscūq; futurꝭ temporibus persoluend Ita q̃ de dictis sale ⁊ pellibus per iꝑos extraneos a nr̃is burgensibus sup̃dictis emptꝭ seu acquisitꝭ Custuma nullatenus ꝑsoluetur Nisi tantū ꝑua Custuma per iꝑos extraneos et non liberos dictis burgēsibus et cõmunitati de dictis sale et pellibus Retroactis temporibus hactenus debita et ꝑsolui consueta Quare

lentrinware,* lamb skins, tod † skins, calf skins, cunying ‡ skins, otter skins, and foumart § skins. And the merchants and burgesses of Aberdeen and their heirs and successors burgesses of the said burgh, we, for us and for our successors for ever, discharge, release, and declare free from payment of the said custom on salt and on the foresaid skins. Further we will, and, for us and for our successors, we have granted to the said burgesses and community of Aberdeen free power and privilege to sell, buy, or exchange in barter or otherwise, as well with strangers and unfreemen, as with other persons whatsoever, and as well within our kingdom as without, the foresaid merchandise of salt and skins without the payment of any custom by the said strangers or by any others whatsoever in all time to come; so that on the said salt and skins bought or acquired by the said strangers from our foresaid burgesses no custom shall be paid, saving only the petty custom on the said salt and skins heretofore due and wont to be paid in time past by the said strangers and unfreemen to the said burgesses and community. Wherefore we

* *Skorling*, *Schoirling*. The skin of a shorn sheep.
Scalding, *Skalding*. A species of dressed skin formerly exported from Scotland . . . *Qu.* if as having the wool taken off by *scalding*.
Futfaill, *Futfell*, *Fitfeal*. A species of dressed skin formerly exported from Scotland. . . . *Footfalls*, I am informed, are the skins of those lambs that have died soon after they were dropped—perhaps *q. fallen* at the dam's *foot*.
Lentrenvare. The name of a kind of skins; those of lambs that have died soon after being dropped; still called Lentrins; *q.* those that have died in Lentron or Spring.—Jamieson's *Etymological Dictionary*.

† Fox. ‡ Rabbit. § Polecat.

vniūsis et singulis quorū intēst vel intēe potit stricte ꝑcipiēdo mādamus quatenus in contrariū dicte nr̄e donac̄onis exonerac̄onis et quitclamac̄ois nullatenus deuenire ꝑsumāt seu corū aliquis deuēire ꝑsumat sub oīmi pena quam erga nr̄am Regiā incurrere potint seu potit maiestatē In cui⁹ Rei testiōm p̄ntibus nr̄is ł̄ris p ppetuo duraturis nr̄m magnū Sigillum apponi precepimus Testibus Reuendo in c̄sto p̄re Willmo ep̄o glasgueñ Willmo ḋno Creichtoune nr̄o Cancellario et consanguineo predilecto dilectis consanguineis nr̄is Andrea ḋno le gray mag̃ro hospicii nr̄i Willmo ḋno Somvile Alexādro de Narne de Sandfurde nr̄orū Compotorū Rotulatore et mag̃ro georgio de Schoriswod Cancellario dunkeldeñ clico nr̄o apud Striuelyne sexto die mens decembris Anno Dñi millesimo quadringentesimo quinquagesimo secundo Et Regni nostri decimo sexto.

XIX.

Jacobus dei gratia Rex Scotorum Oīmibus probis hōinibus tocius terre sue clericis ꝛ laicis salutem Quia dilecti nr̄i burgenses et cōmunitas burgi nr̄i de Aberdene suiq; heredes ꝛ successores infeodati fuerunt hereditarie

strictly enjoin all and sundry whom it does or may concern that neither they nor any of them make bold in any degree to contravene our said gift, release and acquittance, under every penalty that they conjointly or severally can incur to our Royal Majesty. In witness whereof we have ordered our great seal to be appended to our present letters to remain in force for ever. Witnesses: The reverend father in Christ, William, Bishop of Glasgow; William, Lord Creichtoune, our Chancellor, and well-beloved cousin; our beloved cousins, Andrew, Lord le Gray, Master of our Household; William, Lord Somervile; Alexander of Narne of Sandfurde, our Comptroller; and Master George of Schoriswod, Chancellor of Dunkeld, our Clerk. At Stirling, the sixth day of the month of December in the year of our Lord one thousand four hundred and fifty-two, and of our reign the sixteenth.

XIX.

King James II. alters the beginning of the Aberdeen fair to the feast of St. Michael de Monte Tumba (*16th October*). *26th March*, 1458.

James, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Whereas our beloved burgesses and community of our burgh of Aberdeen, and their heirs and successors, were heritably infeft by

per illustrissimū principem Robertum Regem scotorum predicessorem nr̃m aliosq; nr̃os antecessores de nūdinis publicis ī festo sancte trinitatis a die dm̃ca qua cantatur quasi modo genitj et per vnam quīdenam sequēn plenarie ⁊ contr̃ie duratur̃ Nos igitur in fauorem dictorum burgensiū ⁊ inhabitantiū dictum burgū mutauimus et per pr̃ntes mutamus detencionē nūdinar̃ predictarum a dicto tempore ad festum beati michaelis de monte tumba ⁊ tūc inchoand ⁊ tenend ānuatim ⁊ deinde cōtinuand ⁊ duratur̃ per vnam quīdenam plene ⁊ cōtinue ac īmediate sequeñ adeo libere quiete bene ⁊ in pace sicut dicti burgēses dictas nūdinas in dicto festo sancte trinitatis temporibus retroactis liberius tenuerunt seu possederunt Quare vniūsis ⁊ singulis ligiis ⁊ subditis nr̃is stricte precipiendo mādamus ne quis in contrariū detenc̃onis ⁊ īfeodac̃onis nūdinarū predictarum quicqm̃ attemptare presumat temporibus profuturis sub om̃i pena que competere pot̃it ī hac parte Dat̃ sub magno sigillo nr̃o apud Edinburgh vicesimo sexto die mēs̄ marcii Anno domini millesimo quadringētesimo quīquagesimo octauo Et Regni nostri vicesimo secundo.

the most illustrious Prince, Robert, King of Scots, our predecessor, and by others our ancestors, in a public fair on the feast of the Holy Trinity, from the Sunday on which "*Quasi modo geniti*" is sung* and for the space of a fortnight thereafter, to continue fully and without break: We, therefore, from favour to the said burgesses and dwellers in the said burgh, have changed, and by these presents do change, the time of holding of the foresaid fair from the said time to the feast of St. Michael de Monte Tumba, to begin and be held yearly on that day, and thereafter to continue and last for the space of a fortnight fully and without break and following immediately thereon, as freely, quietly, well and in peace, as the said burgesses freely held and possessed the said fair on the said feast of the Holy Trinity in times past. Wherefore we strictly enjoin all and sundry our lieges and subjects not to make bold in times to come to attempt anything in opposition to the tenure and infeftment of the foresaid fair, under every penalty competent in the circumstances. Given under our great seal at Edinburgh, the twenty-sixth day of the month of March in the year of our Lord one thousand four hundred and fifty-eight, and of our reign the twenty-second.

* Some confusion appears here between the provisions of Alexander III.'s Charter of 2nd December, 1273, and those of Robert I.'s Charter of 8th December, 1319—*q.v.* pp. 8, 11.

XX.

Jacobus dei gratia Rex scotorum Vniuersis et singulis ligiis et subditis nr̃is ad quorum noticias p̃ntes ł̃re p̃uen̄int salutem Quia Intelleximus q̱ burgenses et mercatores burgi nr̃i de Abirdene q̃ magna dampna ⁊ incōmoda hactenus perpessi sunt ob exportac̃onē lane pellium ⁊ corriorum extra vicecomitatum nr̃m de Abirdene In contrariū priuelegiorum ⁊ lib̃tatis dictorum burgensium in fraudem nr̃e magne Custume d̃ci burgi Nos Igitur attendeñ et perpendeñ infrictionē dicte libertatis et ł̃mod̃ dampna nr̃a ⁊ dictorum nr̃oꝝ burgēsiū Cōmisimus ⁊ p̃ntiū tenore cōmittim⁹ prepōito balliuis et burgensibus dicti burgi nr̃i qui pro tempore fuerint eorumq̱ deputatis liberam facultatem et plenariā potestatē eschaetandi et ad vsum nostrum appropriandi capiendi ł̃mōi bona lanas pelles coria sic extra dictum vicecomitatum ⁊ libertatē dicti burgi abducta seu Imposterum forsitā abducenda absq̱ solucoe nr̃e custume De quibusquid̃ bonis eschaetat̨ cōcessimus et p̃ntiū tenore concedimus dictis burgensibus burgi nr̃i de Abirdene dimedietatē eschaete eorund̃

XX.

King James II. empowers the provost, baillies, and burgesses of Aberdeen to escheat wool, skins, and hides exported outwith the sheriffdom of Aberdeen without payment of the great custom. 9*th October*, 1458.

James, by the grace of God King of Scots, to all and sundry our lieges and subjects to whose knowledge the present letters shall come, greeting. Whereas we have understood that the burgesses and merchants of our burgh of Aberdeen have heretofore sustained very great losses and inconveniences on account of the exportation of wool, skins and hides outwith our sheriffdom of Aberdeen, in despite of the privileges and liberty of the said burgesses, to the detriment of our great custom of the said burgh: We therefore, giving heed to and weighing well the violation of the said liberty and the consequent losses to ourselves and our said burgesses, have entrusted, and by the tenor of these presents do entrust, to the provost, baillies and burgesses of our said burgh for the time being, and to their deputies, free privilege and full power to escheat and to appropriate and take for our own use such goods, wools, skins, hides, as have been thus taken, or shall in time to come chance to be taken, outwith the said sheriffdom and freedom of the said burgh, without payment of our custom. From which escheated goods we have granted, and by the tenor of these presents do grant, to the said burgesses of our burgh of Aberdeen, half the escheat thereof, in return for their

pro eorum laboribus sumptibus ⁊ expens⁹ faciendis circa eorum eschaetacoṇem Aliam vero dimedietatē dce eschaete ad nos importare ⁊ de eisdem bonis ānuatim in nr̄o scaccario compotum reddere tenebuntur ꝑpōit⁹ et balliui burgi supradti Quo circa Vniuersis et singulis ligiis et subditis nr̄is quorum Intest vel intesse poterit stricte precipiendo mandamus q̄tus dictis prepōito balliuis et burgensibus dce burgi eorumq; ministris et fuitoribus in om̄ibus et singulis eschaetacionē dictorum bonorum concernētibꝫ ⁊ deportacōnem eorund ad vsus nr̄os vt prem⁹titur prompte r̄ndeant pareant ⁊ Intendant ⁊ q in contrariū presentium nullatenus deuenire presumant tēporibus profuturis sub om̄i pena que competere potit In hac ꝑte ꝑntibus ꝑ nr̄a volūtate duraturꝙ Datum sub magno sigillo nr̄o apud Edinburgh nono die mēsꝫ Octobrꝙ Anno Dn̄i millesimo quadringentesimo quīquagesimo octauo Et Regnj nr̄i vicesimo sc̄do.

XXI.

Jacobus dei gratia Rex Scotorum omnibus probis hominibus tocius

trouble, charges and outlays incurred in connection with their escheating. But the other half of the said escheat the provost and baillies of the burgh aforesaid shall be bound to hand over to us, and yearly to render account of the same goods to our treasury. Wherefore we strictly enjoin all and sundry our lieges and subjects whom it does or may concern, promptly to answer, obey and attend to the said provost, baillies and burgesses of the said burgh and their officers and servants in all and sundry matters affecting the escheating of the said goods and the handing over thereof to our uses, as aforesaid; and not to make bold in any degree to contravene these presents in time to come, under every penalty competent in the circumstances. These presents to remain in force during our pleasure. Given under our great seal at Edinburgh, the ninth day of the month of October in the year of our Lord one thousand four hundred and fifty-eight, and of our reign the twenty-second.

XXI.

King James III. grants to his provost, baillies, councillors, and community of Aberdeen in fee and heritage the lands of Cruives resigned by John Bannerman of Elsick. 26th October, 1465.

James, by the grace of God King of Scots, to all good men of his whole king-

terre sue clericis et laicis salutem Sciatis nos dedisse concessisse et hac p̃nti carta ñra confirmasse dilectis nostris preposito balliuis consulibus et cõmunitati burgi nostri de Aberdene ꝑras de Crwuys cum pertinẽciis jacent̃ infra vicecomitatum nostrum de Aberdene Quequid terre cum pertinenciis fuerunt dilecti nostri Iohannis Bannyrman de Alesike hereditarie Et quas idem Iohannes non vi aut metu ductus nec errore lapsus set sua mera et spontanea voluntate in manus ñras apud Striueline coram subscriptis testibus per fustem et baculum ac suos procuratores ad hoc legittime constitutos sursum reddidit pureq, simpliciter resignauit Ac totum jus et clameum que in dictis terris cum pertinenciis habuit seu habere potuit pro se et heredibus suis omnino quitt̃clamauit imperpetuum Tenend et habend dictas terras de Cruvis cum pertinenciis dictis prepõito balliuis consulibus et cõmunitati dicti burgi de Aberdene et eorum successoribus ꝑpõitis consulibus et cõmunitatibus eiusdem burgi ppetuis futuris temporibus de nobis heredibus et successoribus ñris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine Cum omnibus et singulis libertatibus cõmoditatibus et asiamẽtis ac justis pertinenciis quibus-

dom, churchmen and laymen, greeting. Know ye that we have given, granted, and by this our present charter confirmed, to our beloved provost, baillies, councillors and community of our burgh of Aberdeen the lands of Cruives with the pertinents lying within our sheriffdom of Aberdeen: Which lands with the pertinents belonged in heritage to our beloved John Bannerman of Elsick; and which the same John, not influenced by force or fear, nor led astray by error, but of his own accord and free will, did, by staff and baton and by his procurators, lawfully constituted therefor, give up and purely and simply resign into our hands at Stirling in presence of the witnesses underwritten; and did for himself and his heirs wholly renounce for ever all right and interest that he had or could have in the said lands with the pertinents. To be held and had the said lands of Cruives, with the said pertinents, by the said provost, baillies, councillors and community of the said burgh of Aberdeen and their successors, provosts, councillors and communities of the same burgh, in all time to come, of us, our heirs and successors in fee and heritage for ever, by all their true ancient meiths and marches, as they lie in length and in breadth, with all and sundry privileges, conveniences and easements and just pertinents whatsoever, as well not named as named, belonging, or which may in future in any manner justly belong, to the

cūq, tam non nominatis q nomiatis ad dictas ꝑras cum pertinēciis spectantibus seu quouismodo juste spectare valentibus in futurum Et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Iohānes aut predicessores sui predictas ꝑras cum pertinenciis de nobis aut predicessoribus ñris ante dictam resignaꝯonem nobis inde factam liberius tenuit seu possedit tenuerunt seu possederunt Refuatis nobis et successoribus ñris ſuiciis oneribus vtilitatibꝫ et emolumentis de dictis terris ante dītam resignaꝯonem debitis et consuetis In cuius Rei testimoniū p̃nti carte ñre magnū Sigillum nostrum apponi precepimus Testibus Reuerendis in c̃isto patribus Andrea ēpo glasgueñ Thoma ēpo Aberdoneñ dilectis consanguineis ñris Andrea đno Avandale cancellario ñro colino comite de ergile domino cambell mag̃ro hospicii ñri gilberto domino kennedy Iohanne domino Dernlè Alexandro boide de drumcoll Iohanne de culquhone de eodem ñrorum compotorum Rotulatore militibus magistrę Dauid de guthre de kincaldrum thesaurario ñro et Archibaldo quhitelaw Archidiacono morauieñ Secretario ñro apud Striueline vicesimo sexto die mensę Octobris Anno domini millesimo quadringentesimo sexagesimo quinto Et Regni nostri Sexto.

said lands with the pertinents; and as freely, quietly, fully, wholly, honourably, well and in peace, in all and through all, as the said John or his predecessors freely held or possessed the foresaid lands with the pertinents of us and our predecessors before the said resignation made thereon to us. Reserving to us and to our successors the services, burdens, advantages, and emoluments due and customary from the said lands before the said resignation. In witness whereof we have ordered our great seal to be appended to our present charter. Witnesses: The reverend fathers in Christ, Andrew, Bishop of Glasgow; Thomas, Bishop of Aberdeen; our beloved cousins, Andrew, Lord Avandale, our Chancellor; Colin, Earl of Argyle, Lord Campbell, Master of our Household; Gilbert, Lord Kennedy; John, Lord Dernle; Alexander Boide of Drumcoll, John of Colquhon of that ilk, our Comptroller, Knights; Master David of Guthrie of Kincaldrum, our Treasurer; and Archibald Whitelaw, Archdeacon of Moray, our Secretary. At Stirling, the twenty-sixth day of the month of October in the year of our Lord one thousand four hundred and sixty-five, and of our reign the sixth.

XXII.

Iacobus dei gratia Rex Scotorum Omnibus probis hominibus totius terre sue Clericis et laicis salutem Noueritis q̃ pro singulari fauore amore et affectione quos et quam habemus erga dilectos et fideles nostros prepositum balliuos consules et coñitatem burgi nostri de Abirdene et pro suis gratuitis seruiciis temporibus exactis nobis exhibitis et impensis Ex auisamento et deliberatione nostri concilii dedimus concessimus et confirmauimus ac p̃ntis carte nostre tenore damus concedimus et confirmamus eisdem prepõito balliuis consulibus et burgensibus dicti burgi et eorum successoribus libertatem eiusdem burgi habentibus et habituris vt ip̃i et successores sui predicti liberi fuit pro perpetuo et quitti de omni solucione custumarum salmonum de dicto burgo exeuncium et captorum in aquis de done et dee eisdem liberis burgensibus pertinenciũ et pertinere valencium qualitercũq̃ in futurum Saluis et exceptis nobis et successoribus nostris custumis salmonũ per extraneos ac ligeos nostros libertatem eiusdem burgi non habentes de dicto burgo carcand̃ et habend̃ prius nobis debitis et consuetis Tenendas et habendas dictas custumas salmo-

XXII.

King James III. relieves his provost, baillies, councillors, and community of Aberdeen of all customs on salmon caught in Dee or Don save those payable by strangers and unfreemen. 14*th December*, 1482.

James, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that for the singular favour, love and affection which we have towards our beloved and trusty provost, baillies, councillors and community of our burgh of Aberdeen, and in return for their gratuitous services rendered and devoted to us in times past, we have, with the advice and recommendation of our Council, given, granted and confirmed, and, by the tenor of our present charter, do give, grant and confirm to the same provost, baillies, councillors and burgesses of the said burgh, and to their successors having and to have the freedom of the same burgh, that they and their foresaid successors shall be forever free and quit of all payment of customs on salmon exported from the said burgh and caught in the waters of Don and Dee, belonging, or which shall in future in any manner belong, to the same free burgesses. Saving and excepting for us and for our successors the customs formerly due and customary to us on salmon leased and held from the said burgh by strangers and by our lieges not having the freedom of the said burgh. To be held and had the said free customs on salmon by the foresaid

num liberas prefatis preposito balliuis et burgensibus liberis dicti burgi de Abirdene et eorum successoribus predictis de nobis et successoribus nr̃is in feodo et hereditate imperpetuum Libere quiete honorifice integre bene et in pace sine Reuocacione quacunq; aut contradictione aliquali nostri aut successorum nostrorum exceptis prius exceptis quouismodo inde faciend in futurum De quibusquidē custumis omnibus salmonū predictorum exceptis prius exceptis custumarios nostros dicti burgi ac nostros Receptores compotorum Rotulatores scaccariorum et compotorum auditores ac ceteros officiarios nostros p̃ntes et futuros pro nobis et successoribus nostris exonerauimus et tenore p̃ntis carte nostre exoneramus pro perpetuo In cuius Rei testimoniū p̃nti carte nostre magnum sigillum nostrum apponi precepimus Testibus Reuerendis in cristo patribus Iohanne Epō glasgueñ cancellario nostro Jacobo Epō Dūkeldeñ Andrea electo morauieñ nostri secreti sigilli custode Dilectis auūculis nostris Iohanne comite atholie Dño de baluany Jacobo comite buchanie Dño de ouchtirhous̃ magno camerario nostro venerabili in cristo patre archibaldo abbate monasterii nostri sancte crucis de Edinburgh thesaurario nostro Dilectis consanguineis nostris thoma Dño Erskin Willmo Dño borthwik alano Dño cathkert dilectis clericis nostris magistris archibaldo quhitelaw archidiacono laudonie secretario nostro et patricio

provost, baillies and free burgesses of the said burgh of Aberdeen and by their foresaid successors, of us and our successors in fee and heritage for ever, freely, quietly, honourably, wholly, well and in peace, without any revocation or challenge whatsoever to be made thereupon in any way in time to come by us or by our successors, except as before excepted. From all which customs on salmon aforesaid, except as before excepted, we have for us and for our successors discharged, and by the tenor of our present charter do for ever discharge, our custumars of the said burgh, and our receivers, comptrollers and auditors of exchequer and accounts and our remaining officials present and to come. In witness whereof we have ordered our great seal to be appended to our present charter. Witnesses: The reverend fathers in Christ, John, Bishop of Glasgow, our Chancellor; James, Bishop of Dunkeld; Andrew, elect of Moray, Keeper of our Privy Seal; our beloved uncles, John, Earl of Athole, Lord of Balvany, James, Earl of Buchan, Lord of Ouchtirhouse, our High Chamberlain; the venerable father in Christ, Archibald, Abbot of our Monastery of Holyrood in Edinburgh, our Treasurer; our beloved cousins, Thomas, Lord Erskine, William, Lord Bothwick, Alan, Lord Cathkert; our beloved clerks, Masters Archibald Whitelaw, Archdeacon of Lothian, our Secretary, and

leiche canonico glasguen clerico nostrorum Rotulatorum et Registri apud Edinburgh decimo die mensis Decembris Anno Dñi millesimo quadringentesimo octuagesimo secūdo Et Regni nostri vicesimo tertio.

XXIII.

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Iacobus dei gracie Rex scotorum Omnibus Probis hominibus suis ad quos pñtes ire peruenīint Salutem Sciatis Nos quodd actum siue decretum per dominos nri consilii inferius descriptos datum et promulgatum vtiq; intellexisse sub hac forma

At Edinburgh the xix day of Iunij The yere of god i^{m}iiij^{c} lxxxxiiij zeris The lordis of counsale vnderwrittin that is to say a maist reuerend and reuerend faderis in god robert archibischop of glasgow george bischop of Dunkeldin nobill and michty lordis Archibald erle of Angus chancellare of Scotland archibald erle of Ergile Williame erle mschell Iohnne lord glāmys andro lord gray Williame lord borthuik laurence lord Oliphaunt Robert lord lile Iohnne lord drūmond Williame lord of santt Iohnne venerabile faderis in god george abbot of Dunfermling Robert abbot of Kelso george abbot of paslay maister Richard murehede dene of glasgow and secret to o' souerane lord maister Iohnne fresale dene of lestaalrig and clerk of ye register s^{r} duncane forest of Skipynch knicht cōptrollare to oure souerane lord Iohnne of Ogiluy sonn and apperand air to Iames lord Ogiluy of Arly s^{r} Iames Allerdes provost of oure lady kirk of ye heuch and maister richard lausoun Anent ye terme assignit be a bill to the alderman balezeis and coñite of aberdene to produce and schew sic richte as yai wald vse

Patrick Leiche, Canon of Glasgow, Clerk of our Rolls and Register. At Edinburgh, the tenth day of the month of December in the year of our Lord one thousand four hundred and eighty-two, and of our reign the twenty-third.

XXIII.

King James IV. confirms a decree of the Lords of Council (19*th June*, 1494) *ratifying a Charter by King Robert I.* (No. VIII.). 20*th June*, 1494.

James, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that we have fully considered a certain act or decreet given and pronounced by the Lords of our Council underwritten, in this form—"At Edinburgh the 19th day of June, &c. . . . but

anent ye clame of the forest of stokket ye castellhill and diuers' vy^{s}is placis clamyt to pertene to oure souerane lord Oure souerane lordis aduocate and andro Wod comperand for yare interestꝭ and and ye parte of oure souerane lord Alexander Rede ald^{r}man of Aberdene and ye procuratourꝭ of ye said tovnn beand p̃nt The charter and infeftment maid to ye said tovne be king Robert the brois' of maist nobill mynde at lenth sene hard and vnderstandin * The lordis of *q*sale y^{r}with Ripely avisit decretis and deliueris yat for ocht yat yai have zit sene the said alderman baillies and co̅mite sall broik and jois' ye said burgh of Aberdene with ye pertinence as yai brokit of before becaus yai clamyt the said boundꝭ and placis be vertew of ye said charter ay and quhill thai be lauchfully put y^{r}fra and but p̃iudice of oure souerane lordꝭ Richt Extract̃ de libro actorum per me Iohanne fresale decanū de lestalrig clericum Rotulorum ꝛ reg̃ri ac consilii Supremi Dñi nr̃i regis Sub meis Signo et Subscripcione manualibus

Quodquid̃ actum siue decretū ad o̅mia et singula in eodem *q*tenta in o̅mibus suis punctis et articulis approbamus Ratificamus et pro nobis et successoribꝫ nr̃is vt p̃missum est *q*firmamus Datum sub testimonio magnj Sigilli nr̃i Apud Edinburgh vicesimo die mēsꝭ Iunii Anno Dñi millesimo Quadringētesimo Nonagesimo quarto Et Regni nr̃i Septimo.

XXIV.

Iacobus dei gratia Rex Scotorum Omnibus Probis hominibus suis ad

prejudice of oure soverane lordis richt. Extracted from the book of the Acts by me John Fresale, Dean of Lestalrig, Clerk of the Rolls, and of the Register and Council of our sovereign lord the King; under my sign and subscription manual." Which act or decreet and all and sundry contained therein, in all its points and articles we approve, ratify, and for ourselves and our successors as above set forth, confirm. Given under witness of our great seal, at Edinburgh, the twentieth date of the month of June in the year of our Lord one thousand four hundred and ninety-four, and of our reign the seventh.

XXIV.

King James IV. confirms the privileges granted by his grandfather in 1458 (No. XX.). 11*th December*, 1495.

James, by the grace of God King of Scots, to all his good men to whom

* See No. VIII., p. 12.

quos p̃ntes ł̃re peruenerint salutem Sciatis q intelleximus q burgeñ et mercatores burgi nr̃i de Aberdene q̃ magna dampna et incōmoda hactenus perpessi sunt ob exportationem lane pellium et corriorum extra vicecomitatum nr̃m de Aberdene Incontrarium priuilegiorum ⁊ libertatis dictorum burgensium in fraudem nr̃e magne custume dicti burgi Nos igitur attendeñ et perpendeñ infrictionem dicte libertatis et huĩōi dampna nr̃a et dictorum ñrorum burgensium cōmisimus et tenore p̃ntium cōmittim⁹ prepōito balliuis et burgensibus dicti burgi nr̃i qui pro tempore fuerint eorumq; deputatis liberam facultatem et plenariam p̃tatem eschaetandi et ad vsum nr̃m appropriandi et capiendi ħmoi bona lanas pelles corria Sic extra dictum Vicecomitatum et libertatem dicti burgi abducta seu Imposterum forsitan abducenda absq; solucione nr̃e custume De quibusquid bonis eschaetatis concessimus et tenore p̃ntium *q*cedimus dictis Prepōito balliuis ⁊ burgēsib; burgi nr̃i de Aberdene dimedietatem eschaete eorundem pro eorum laboribus sumptib; et expens; faciendis circa eorum eschaetata; [*sic*] aliam vero dimedietatem dicte eschaete ad nos Importare et de eisd̃ bonis añuatim in nr̃o Scaccario compotum Reddere tenebuntur prepōiti ⁊ balliui burgi supradicti Prout ł̃re p̃tatis quond

the present letters shall come, greeting. Know ye that we have understood that the burgesses and merchants of our burgh of Aberdeen have heretofore sustained very great losses and inconveniences on account of the exportation of wool, skins and hides outwith our sheriffdom of Aberdeen, in despite of the privileges and liberty of the said burgesses, to the detriment of our great custom of the said burgh: We therefore, giving heed to and weighing well the violation of the said liberty, and the consequent losses to ourselves and to our said burgesses, have entrusted, and by the tenor of these presents do entrust, the provost, baillies and burgesses of our said burgh for the time being and to their deputies free privilege and full power to escheat and to appropriate and take for our own use such goods, wools, skins, hides, as have been thus taken, or shall in time to come chance to be taken, outwith the said sheriffdom and freedom of the said burgh, without payment of our custom. From which escheated goods we have granted, and by the tenor of these presents do grant, to the said provost, bailĩes and burgesses of our burgh of Aberdeen one half of the escheat thereof in return for their trouble, charges and outlays incurred in connection with their escheating. But the other half of the said escheat the provost and baillies of the burgh aforesaid shall be bound to hand over to us, and yearly to render account of the same goods to our treasury; according as the letters of privilege addressed aforetime

carissimi ℈ nobilissimi aui nr̃i dictis Prepõito balliuis ℈ burgensibus prius desup q̃fectis in se plenius proportant ℈ testantur Quare vniuersꝫ ℈ singulis ligeis et subdictis nr̃is quorum interest vel interesse poterit stricte precipiendo mandamus quatenus dictis prepõito balliui et burgensibus dicti burgi eorumq̃ deputatis mĩstris et ſuitoribus in omnibꝫ et singulis eschaetacionem dictorum bonorum concerneñ et deportacionem eorund ad vsus nr̃os vt premittitur prompte Rñdeant pareant ℈ Intendant Et q̃ incontrarium pñtium nullatenus deuenire presumant temporibꝫ profuturis Sub oñi pena quam erga nr̃am Regiam incurrere poterint maiestatem Pñtibus pro nr̃a voluntate et deinde vsq̃ ad nr̃am Spe̋alem reuocacionem earund duratur̃ · Datum sub magno Sigillo nr̃o Apud Abirbrothok vndecimo die mensꝫ Decembr̃ Anno d̃ni mill̃mo quadrin^{mo} nonagesimo quĩto Et Regni nr̃i Octauo.

XXV.

Iacobus dei gracia Rex scotorum Omnibus Probis hom̃ibus suis ad Quos pñtes littere peruenerint salutem Sciatis Quia Intellexim^{9} q̃ bur-

by our umquhile most dear and most noble grandfather to the said provost, baillies and burgesses in themselves more fully set forth and attest.* Wherefore we strictly enjoin all and sundry our lieges and subjects whom it does or may concern, promptly to answer, obey and attend to the said provost, baillies and burgesses of the said burgh, their deputies, officers and servants, in all and sundry matters affecting the escheating of the said goods and the handing over thereof to our uses as aforesaid; and not to make bold in any degree to contravene these presents in time to come under every penalty that they can incur to our Royal Majesty. These presents to remain in force during our will, and up to our special revocation of the same. Given under our great seal at Arbroath, the eleventh day of the month of December in the year of our Lord one thousand four hundred and ninety-five, and of our reign the eighth.

XXV.

King James IV. of new grants the privileges granted in 1495 (No. XXIV.) *and grants like privileges with respect to victual.* 17*th August*, 1511.

James, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that we have understood

* See No. XX., p. 29.

genses et ꝰcatores burgi nr̃i de abirdene q[a] magna dampna et Incommoda hactenus ppessi sunt ob exportacionem lane pelliū corriorum et victualium extra vicecomitatum nr̃m de abirdene Incontrariū priuilegiorū et libertatem dicti nr̃i burgi et burgensiū eiusd' ac contra statuta Itineris nr̃e camarie et in fraudem nr̃e magne custume dicti nr̃i burgi Nos igitur attendeñ et perpendentes Infrictionem dicti libertatis dampnaq, et Incōmoda nr̃a et dictorum burgensiū nostrorum Inde perpessa Cōmisimus tenoreq, p̃nciū pro nobis et successoribꝫ nr̃is cōmittimus prepōito balliuis et burgensibꝫ dicti nr̃i burgi nūc p̃ntibus et qui pro tempore fuerint liberā facultat̄ plenariā p̃tatem et mandatum speciale ad eschaetandum et ad vsum nr̃m applicand' et appropriand' oīmia ħmod bona lanam pelles corria et victulia sic vt premittitur per quascumqꝫ personas extra dictum nr̃m vicecomitatū et libertatem prefati nr̃i burgi abducta seu forsan Imposterum abducenda absq, solucoe nr̃e magne custume inde debit̃ de quibusquid' bonis vt premittitur eschaetatis concessim[9] tenoreq, p̃ntiū concedim[9] dictis prepōito balliuis et burgeñ de Abirdene dimedietatem eschaete nr̃e eorund' bonorum pro iꝑorum laboribus sumptibꝫ et expensis circa eschaetacionē eorund' faciendis Aliam vero dimedietatem dicte

that the burgesses and merchants of our burgh of Aberdeen have heretofore sustained very great losses and inconveniences on account of the exportation of wool, skins, hides and victuals outwith our sheriffdom of Aberdeen, in despite of the privileges and liberty of our said burgh and of the burgesses thereof, and contrary to the statutes of our chamberlain ayre and to the detriment of our great custom of our said burgh: We therefore, giving heed to and weighing well the violation of the said liberty, and the losses and inconveniences thereby sustained by ourselves and by our said burgesses, have entrusted, and by the tenor of these presents do for ourselves and our successors entrust, to the provost, baillies and burgesses of our said burgh, present and to come, free privilege, full power and special mandate, to escheat and to appropriate and apply to our use all such goods, wool, skins, hides, and victuals as have been taken, or shall in time to come chance to be taken, as aforesaid, by what persons soever, outwith our said sheriffdom and freedom of our foresaid burgh, without payment of our great custom thereon due. From which goods escheated as aforesaid we have granted, and by the tenor of these presents do grant, to the said provost, baillies and burgesses of Aberdeen one half our escheat of the same goods, in return for their trouble, charges and outlays incurred in connection with the escheating thereof. But the other half of the said escheat

eschaete nobis Importare et de eisdem bonis ānuatim in scaccario nr̃o compotū reddere tenebuntur prepōitus balliui et burgenses suprascript' Quare vniuersis et singulis ligeis et subdictis nr̃is quorum Interest stricte precipimus et mandamus quatenus dictis prepōito balliuis et burgensib; dicti nr̃i b'gi de abirdene pñtib; et futuris eorunq; mīstris et fuitorib; in om̄ibus et singulis eschaetacionem dictorum bonorū concerneñ et asportacionē eorund' ad vsus nr̃os vt premittitur prompte r̃ndeant pareant et Intendant et q Incontrariū pñtiū nullatenus deuenire presumāt temporib; affuturis Sub om̃i pena que competere poterit in hac parte Ac secund' tenorē aliarū nr̃arum ṫrarum ac litterarū quond' nobilissimi progenitoris nr̃i Jacobi Secundi cuius anime propicietur Deus prefatis prepōito balliuis et burgeñ dicti nr̃i burgi sub nr̃is magnis sigillis prius desuper cōfect' In Cuius Rei testimoniū pñtibus nr̃is ṫris pro nobis et successorib; nr̃is pro perpetuo in suo robore duraturis magnū sigillum nr̃m apponi precipimus apud Edinburgh decimoseptimo die mens' augusti Anno domī millesimo quingentesimo vndecimo et Regni nr̃i vicesimo quarto.

the provost, baillies and burgesses above written shall be bound to hand over to us, and yearly to render account of the same goods to our treasury. Wherefore we strictly order and enjoin all and sundry our lieges and subjects whom it concerns, promptly to answer, obey and attend to the said provost, baillies and burgesses of our said burgh of Aberdeen, present and to come, their officers and servants, in all and sundry matters affecting the escheating of the said goods and the handing over thereof to our uses as aforesaid; and not to make bold in any degree to contravene these presents in time to come, under every penalty competent in the circumstances, and according to the tenor of our other letters* and of the letters of our umquhile most noble ancestor, James the Second† (on whose soul may God have mercy), addressed thereanent aforetime under our great seals to the aforesaid provost, baillies and burgesses of our said burgh. In witness whereof we have ordered our great seal to be appended, for us and our successors, to our present letters, to remain in their full force for ever. At Edinburgh, the seventeenth day of the month of August in the year of our Lord one thousand five hundred and eleven, and of our reign the twenty-fourth.

* See No. XXIV., p. 37. † See No. XX., p. 29.

XXVI.

Iacobus dei gracia Rex scotorum Omnibus probis hominibus suis ad Quos pñtes ire peruenerint salutem Sciatis nos Quodd actū siue decretū arbitrale per dnos nr̃i consilii inferius descriptos datum et promulgatum vtiq; intellexisse sub hac forma

At Edinburgh ye xxiiij day of Ianuare the yere of god j^{m} v^{c} ⁊ xj zeris We William bischop of Abirdene Andro bischop of Caithnes cōmendator of Kelso thesaurar̃ to oure souerane lord Dauid bischop of Ergile george postulat of ye ylis Edward byschop of Orknay archibald erle of Ergile andro lord gray Iustice generale to our souerane lord and maist̃ gawane Dunbar archidene of Sanctandr̃ clerk of Register Iugis arbitratourꝭ and amicable compositourꝭ cōmonly chosen betuix ane noble and my^{ty} Lord Williā erle of Eroll ℓef of Abirdene principale on ye ta part and gilbert mēzeis provest of ye burgh of Abirdene Iohnne mar and Iohne colisoun bailzeis of ye sāmyn s̄h^{r} Iohne Ruy^{n}-furd knicht patrick Lesly Iohnne culane and Iames colisoun burgess; y^{r}of for yame self and as procuratourꝭ for ye hale cōnite of ye said burgh constitute under yar cōmoun sele on ye toy^{r} part tuiching ye cōtraversy movit betuix yame anēt ye vse and possessioun allegit to be had be ye saidis provest bailzeis and cōnite and yar predecessourꝭ of punysing of trubbil and blude yat happīnit amangꝭ nychtbourꝭ of ye said burgh and anēt yar Iurꝭdictioun and priuilege y^{r}of and anēt the stop maid to yame yaruntill as wes allegit in yar complaint be ye said shēff in ye arresting of yare cōburgess; to shēf courtis contrar yar said priuilege and vse and tuiching ye Rycht of ye said mater and all actioun movit or to be movit y^{r}apoun and how ye saidis ptiis suld bruke and Ioiss anent ye premiss; in tyme tocum like as Is cōteint in ane cōpromisse maid herapoun in Iugemēt

XXVI.

King James IV. confirms a Decreet Arbitral of the Lords of Council (24*th January*, $151\frac{1}{2}$) *anent the jurisdiction of the sheriff and the provost and baillies.* 28*th January*, $151\frac{1}{2}$.

James, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that we have fully considered a certain act or decreet arbitral given and pronounced by the Lords of our Council underwritten, in this form.—"At Edinburgh the twenty-fourth day of January, &c.

in pñs of ye lordis of counsale The saidis ꝑtiis being bundin oblist and Suorne to vnderly fulfill and complete oure decrete sentence and deliuerance or ony five of Us Iugis forsaid ꝛ being p̃nt before Us And yar Richtis Resonis and allegatiounis at lenth be Us herd sene understand and Us deligently and Riply yʳwt auisit havand god befor ws all in ane voce decretis deliueris ꝑnūcis and for oure finale sentence and decrete arbitrale ordanis yat in all tyme tocū quhar yar sall happin ony blude to be cōmittit betuix burgessȝ of ye said burgh and fremen and yat Josis ye priuilege of ye sāmȳ amongꝯ yā self within the burgh and fredome That ye provest and bailzeis yarof yat salbe for ye tyme sall know and haif cognitioun yʳapoun like as yai haif done in all tymes bigane And the said shẽf nor his successourꝯ nor yar deputis to haif na Intrometting yarwith And quhar blude beis cōmittet in ony tyme tocum within ye said burgh or fredome betuix persouns nocht burgessȝ duelland owtwith ye samē ꝛ nocht joisand ye priuilege yʳof ye said shẽf to haif cognitioun and knawledge yʳapoun and quhar yar beis blude cōmittit betuix burgessȝ of ye said burgh or vtheris joisand ye priuilege of Ye sāmyn and vtheris persouns Remanend outwᵗ ye burgh and fredome the said burgh and ye provest and bailzeis yʳof to haif jurisdictioun and cognitioun in that caisȝ apoun ye burgessȝ and yame yat josis ye priuilege as said Is And ye said shẽf vpoun ye vther persouns noᵗ burgessȝ nor joisand ye said priuilege Reſvand alwas to ye said provest and bailzeis and yar successoʳꝯ to knaw apoun trublance yat beis cōmittit be quhatsūeuir persouns within ye said burgh and fredome like as yai haif done of befor And quhar any burgessȝ fremen or vtherꝯ joisand ye priuilege of ye said burgh cōmittis blude outwᵗ ye sāmyn ꝛ fredome yof in yat caisȝ ye forsaid shẽf and his successorꝯ to haif cognitioun apoun ye said blude alwayis and alſ wtout ꝑudice to ye said shẽf or ony vther Richt or ꝑuilege yᵗ he of resoun aw to exerſ within ye said burgh and fredome And yis oure decrete and sentence to haif ye strenth of ye decrete of ye lordis of ye hale sete becaus' ye said actioun wes ꝙpromittit to Us Jugis forsaidꝯ In Jugemēt befor ye saidꝯ lordis And it wes ordanit yᵗ oʳ decrete to gevin yʳuppoun suld haif siclike strenth as It had bene gevin in Iugemēt be ye lordꝯ of ye hale Sete And yʳfor ordains ł reȝ be direct herapoun gif nede beis in dew forme as efferis Extractum de libero [*sic*] actorum per me magistrum gawinū Dunbar archi-

. . . in due form as effeirs. Extracted from the book of the Acts by me,

diaconū sanctiand clericū Rotulorū registri ac cōsilii supremi Dñi nr̄i regis sub meis signo et subscriptōne manualibus

Quodquid actū siue decretum arbitrale In om̄ibus et per om̄ia approbamus ratificamus Et per pñtes vt premissum est confirmamus Datum sub testimonio magni sigilli nr̄i apud Edinburgh vicesimo octauo die mēs' Januarii Anno Dñi mill̄mo Quingentesimo Vndecimo Et Regni nr̄i vicesimoquarto.

XXVII.

Iacobus dei gracia Rex scotorum Omnibus probis hominibus suis ad quos presentes l̄re peruenerint salutem Sciatis quia cum auisamento et consensu nr̄i thesaurarij et d̄norum compositorum Remisimus preposito balliuis cōmitati burgensibus le scot et lot soluentibus et eorum seruitoribus actualiter remanentibus infra burgum nr̄m de Abirdene et inhabitantibus intra terras et limites siue marchias burgales eiusdem seu in genere et in specie latoribus pñtium Rancorem anīmi nr̄i sectam regiam ꝛ omnē actionē quem et quas erga īp̄os concepimus habemus seu quouismodo in

Master Gavin Dunbar, Archdeacon of St. Andrews, Clerk of the Rolls and of the Register and Council of our sovereign lord the King, under my sign and subscription manual." Which act or decreet arbitral, in all and by all, we approve, ratify and by these presents, as above set forth, confirm. Given under witness of our great seal at Edinburgh the twenty-eighth day of the month of January in the year of our Lord one thousand five hundred and eleven, and of our reign the twenty-fourth.

XXVII.

King James V. remits to the provost, baillies, community, &c., of Aberdeen all ill will and action against them because of their absence from his armies. 7th February, $152\frac{7}{8}$.

James, by the grace of God King of Scots, to all his good men to whom the present letters shall come, greeting. Know ye that, with the advice and consent of our treasurer and lords arbiters we have remitted to the provost, baillies, community, burgesses paying scot and lot,* and their servants actually living within our burgh of Aberdeen, and to dwellers within the burghal lands and boundaries or marches thereof, or in general and in special to the bearers of these presents, our illwill, royal process, and all action which we conceived, have, or could in any

* To pay *scot*, or *scat*, and *lot* = to pay shares in proportion.—*Jamieson's Dictionary.*

futurum habere poterimus pro eorum proditoriis remanentia mora et absentia ab exercitibus nr̃is de sulway ⁊ werk ac aliis nr̃is exercitibus quibuscunq; nr̃as contra proclamationes et mandata desuper direct̃ Et pro omnibus actione et crimine que eis aut eorum alicui quouismodo imputari poterint Necnon pro omnibus aliis actionibus transgressionibus criminibus et offensis quibuscunq; per dictas personas aut earum aliquam aliquibus temporibus retroactis vsq; in diem date p̃ntium cōmissis seu quomodoł; perpetratis proditoria traditione in nr̃a persona regia incendio murthuro mulierum raptu com̃i furto fabricatione finctione et importatione false monete in regnū nostrum dispositione eiusdem per importatores ac homicidiis per dictas personas aut earum aliquam post primū diem mensis Ianuarij Anno Domini millesimo quingentesimo vigesimo sexto perpetratis tantūmodo exceptis dūmodo partibus conquerentibus ac dampna passis taliter satisfaciant q; nullam super hoc decetero iustam querimoniam audiamus Et supradictos prepōitum balliuos com̃itatem burgenses et eorum seruitores actualiter infra dictum burgum nr̃m de Abirdene remanētes et inhabitantes intra terras et limites eiusdem suprascript̃ in genere ⁊ in specie sub firma pace et protectione nr̃a iuste

way have in time to come towards them, because of their treasonable holding back, delay and absence from our armies of Sulway and Werk and from our other armies whatsoever, in opposition to our proclamations, and orders directed thereanent; and be cause of every action and crime which could in any way be imputed to them or to any of them; as well as because of all other actions, transgressions, crimes and offences whatsoever committed or in any way done by the said persons or by any of them in any times bygone until the day of the date of these presents —excepting only treasonable insurrection against our royal person, fire-raising, murder, ravishing of women, common theft, the making, passing and importing into our kingdom of false money, the disposal of the same by the importers, and manslaughters, committed by the said persons or by any one of them after the first day of the month of January in the year of our Lord one thousand five hundred and twenty-six — provided that they give such satisfaction to the accusers and those who have suffered losses, that we may hear no further just complaint thereanent. And rightly taking under our sure peace and protection the aforesaid provost, baillies, community, burgesses and their servants actually living within our said burgh of Aberdeen and dwellers within the above-written lands and limits thereof in general and in special, we strictly forbid any one to make bold unjustly to inflict any hurt, annoyance, injury or inconvenience on

suscipieñ firmiter inhibemus ne quis eis aut eorum alicui occasione dict̃ proditoriarū remanencie more et absencie aut aliarum actionū transgressionū criminū et offensarum quarūcunq; predict̃ malum molestiam iniuriam seu grauamen aliquod inferre presumat iniuste super nr̃am plenariam forisfacturam aut mortem eis aut eorum alicui inferat sub pena amissionis vite et mēbrorum In Cuius rei testimoniū has ł̃ras nr̃as remissionis pro toto tempore vite prefat̃ propōiti balliuorum com̃itatis burgensium ꝛ eorum seruitorum ac inhabitanciū terras et limites burgi nr̃i antedict̃ et cuiuslibet iꝑorum duraturas sub nr̃o magno sigillo sibi fieri fecimus patentes apud Abirdene septimo die mensis februarij Anno domini millesimo Quingentesimo Vigesimo septimo Et regni nr̃i decimo quinto.

them or any one of them on account of the said treasonable holding back, delay and absence, or of other actions, transgressions, crimes and offences whatsoever aforesaid, on pain of our full forfeiture ; or to inflict death on them or any one of them, under penalty of the loss of life and limbs. In witness whereof we have caused to be made patent under our great seal these our letters of remission, to remain in force for the whole time of the lives of the aforesaid provost, baillies, community, burgesses and their servants, and dwellers within the lands and limits of our burgh aforesaid, and of any one of them. At Aberdeen, the seventh day of the month of February in the year of our Lord one thousand five hundred and twenty-seven, and of our reign the fifteenth.

XXVIII.

King James V. empowers the provost, baillies, &c., of Aberdeen to fortify the burgh. 3rd September, 1529.

James be the grace of god king of Scottis To all and sindry oure Iustices chalm̃lains shreffis stewartis ballies Iustice clerkis crowneris and yair deputis And all vy᷑is oure officiaris pñt ꝛ tocum liegis and subditis quham It efferis quhais knawlege thir oure ł̃res salcum greting Wit ze Us to haue gevin and grantit And be thir oure ł̃res gevis and grantis To ye provest ballies counsale ꝛ cōmunite of oure burgh of Abirdene and yair successouris full power fredome faculte and speciale licence to big joist brouk haue and hald wallis of stane and lyme or Vyirwayis as yai sall think maist expedient with fortalices strenthis fousseis and munitionis about ye said burgh and boundis yairof as yai sall think maist

expedient perpetualie in tyme cūing but ony impediment molestation or truble to be maid to yame yairin be Us or oure successouris be ony maner of way in tyme to cum Nochtwithstanding any lawis actis or statutis maid or to be maid in ye contrar Anent ye quhilkis We dispens' with ye saidꝙ provest ballies counsale and cōm̃ite and yair successouris foreuir dischargeing zou all ꝛ sindry oure Iustices chalm̃lains shreffis stewartis ballies Iustice clerkis and vy᷑is oure officiaris p̃nt and tocum and zour deputis and all vy᷑is oure liegis subditis foresaidꝙ of all accusatioun trubling and intrometting with the saidis provest ballies counsale and cōm̃ite yair landis or gudis yairfore And of zour offices in yat part be thir oure ꝧres foreuir Gevin vnder oure priue sele At Edinburgh ye thrid day of Septēber The zeir of god Ane thousand five hundreth tuentynyne zeris And of oure Regne ye xvj zeir.

Per signaturam manu S. D. N. Regis Subscriptam etc.

XXIX.

Queen Mary of new grants to the provost, baillies, &c., of Aberdeen for thirteen years exemption from great customs on salmon. 12*th August*, 1543.

Marie be ye grace of god quene of Scottis To oure comptrollare and custumaris of oure burgh of Abirdene now p̃nt and̄ zat salhappin to be for ye tyme and all vy᷑is oᵣ liegis ꝛ subditis quham it efferis quhais knawlege yir oure ꝧres salcum greting fforsamekle as it is vnderstand to oure derrest cousing and tutoᵣ James erle of arrane lord hāmiltoun protectoᵣ and gou᷑noure of oure realme That ye provest baillies counsale burgess' and cōmunite of oure said burgh of Abirdene for ye tyme and yair successouris War infeft be oure maist nobill gudshᵣ king Iames ye ferd of gude mynde quham god assoilze to be fre and quyte ꝑpetualie fra all payment of custumis of salmond passand furth of oure said burgh and tane in ye watteris of done and dee pertenying and that may pertene to ye fre burgess' of oure said burgh Sauffand and exceptand to him and his successouris ye custumes of salmond aucht and Wont be vtheris his subditis nocht havand ye fredome of oure said burgh as at mair lenth is conteint in oᵣ said derrest gudshʳˢ infeftment maid and gevin to ye saidis ꝑvest baillies counsale burgess' and com̄unite of oure said burᵗ yairupoun* Be verteu of ye quhilk yai ꝛ yair successouris war in continowale

* See No. XXII., p. 33.

and peciable possessioun of ye custumes of ye said salmond fre be ye space of fourty foure zeiris quhill laitlie zat Dauid Wod of ye Crag comptrollar for ye tyme to vmquhile o^r derrest fader wrangiuslie compellit yame to pay ye saidis custumes of yair salmond to oure said vmquhile derrest fader in contrare ye tennor of ye said infeftment And now becaus ye pvest baillies counsale burgess' and *q*munite of our said burgh y^t now ar for augmẽtatioun of oure proffitt and for pleso^r of Us ar content to satify Us for ye custumes of ilk berrell of yair salmond The sovme of twa schillingis no^twithstanding yat yai ar infeft frelie yairin in maner foirsaid Thairfore with auise consent and autorite of oure said tuto^r and gou̇no^r We haue gevin grantit and disponit and be yir oure ltres gevis grantis and disponis To ye saidis pvest baillies counsale burgess' and cõmunite of our said bur^t and yair successouris havand or yat salhappin to haue ye fredome yairof All and sindry ye custumes of yair salmond passand fur^t of oure said bur^t and tane in the foirsaidis Watteris of done and dee pertenying or yat onywyse salhappin to pertene to yame except befoir exceptit for all ye space and termes of threttene zeiris nixt and Immediatlie following ye day of ye dait heirof quhilk day and dait salbe yair entre in and to ye saidis custumes And yaireftir to Indure and peciable to be broukit and Ioisit be yame vnto ye Ische ꝯ compleit end of ye saidis threttene zeiris with all and sindry *q*moditeis fredomes proffittis asiamentis and richtius pertinentis quhatsumeuir pertenying or richtiuslie may pertene yairto ffrelie quietlie weill and in peax But ony reuocatioun or aganecalling quhatsumeuir Payand during ye saidis threttene zeiris ye saidis provest baillies counsale burgess' and cõmunite of oure said burgh and yair successouris To Us oure successouris comptrollaris custumaris chalṁlains or factouris in o^r name for ye custume of ilk barrell of ye said salmond ye sovme of tua schillingis vsuale money of oure realme alanerlie Quhairfoir We charge straitlie and *q*mandis zow oure said comptrollare and custumaris of oure said burgh now pñt and yat salhappin to be for ye tyme And all vy^is oure liegis foirsaidis That ze and ilkane of zou decist and ceist fra all molestatioun and trubling of ye saidis provest baillies counsale burgess' and cõite in ye peciable brouking ꝯ Ioising of ye saidis custumes of salmond thay payand for ye same as said is Bot suffir yame peciable to brouk ye same during ye said space vnder all pane ꝯ charge yat eftir may follow dischargeing zou and ilkane of zou y^rof and of zoure offices

in yat parte Notwithstanding ony or łres or writingis gevin or to be gevin in ye contrare Gevin vnder oure priue seill at Edinburgh ye tuelf day of August The zeir of god jm vc fourty thre zeiris And of oure regne ye first zeir.

Per signaturam manu dñi gubernatoris Subscriptam, etc.

XXX.

Maria dei gratia regina scotorum Omnibus probis hominibus suis ad quos pñtes łre peruenerint salutem Quia nobis ac nro charissimo consanguineo et tutori Iacobo duci de chattellerault aranie comiti dño hamiltoun regni nri protectori et gubernatori ac secreti nri consilii dominis certo compertum est prepositum balliuos et cōmunitatem ac ciues populares burgi nri de Abirdene in aquarum piscariis de de et done ac in nōnullis terrarum prediis infra libertatem dicti ñri burgi jaceñ per quond Inuictissimū robertum bruce scotorum regem et alios ab eo in hiis ñris temporibus succedentes predecessores ñros nobilissimos recolende memorie quorum animabus propicietur deus multis retroactis seculis infeodatos esse Eas de nobis et predecessoribus ñris tenentes pro aña solutione feudi ducentarum tresdecim librarum sex solidorum et octo denariorum nobis ac ñris pensionariis quibus nōnulla pars eiusdem feudi in salariū

XXX.

Queen Mary empowers the provost, baillies, &c., of Aberdeen to feu the freedom lands of the burgh and the fishings in Dee and Don. 8th February, $155\frac{1}{2}$.

Mary, by the grace of God Queen of Scots, to all her good men to whom the present letters shall come, greeting. Whereas it is well known to us and to our dearest cousin and tutor, James, Duke of Chatelherault, Earl of Arran, Lord Hamilton, protector and governor of our kingdom, and to the Lords of our Privy Council, that the provost, baillies and community and inhabitants of our burgh of Aberdeen were many centuries past infeft in the fishings of the waters of Dee and Don and in the several estates lying within the freedom of our said burgh, by umquhile invincible Robert Bruce, King of Scots, and others his successors in these our times, our most noble predecessors of cherished memory, on whose souls may God have mercy; holding the same of us and our predecessors by the annual payment of a rental of two hundred and thirteen pounds six shillings and eight pence to us and to our pensionaries, to whom a certain portion of the said

hereditarie assignatur Quas etiam terrarum predia et aquarum piscarias antedicti prepositi et balliui et cõmunitas dicti ñri burgi non hiis solum temporibus verum vltra hominũ memoriam particulatim diuisas ad inexplicable cõmodum dicti ñri burgi conciuibus eiusdem locarunt Non minus tamen ñri regni coadiacentes proceres ea inde proficua dicti ñri burgi incolis perspicientes euenire Spe eorundem acquirendi sese dicto ñro burgo intrudunt inuolunt cõmiscent ac rempublicam eiusdem ita disturbent vt nulla requies nulla deniq; pacifica ciuiũ vita suis incolis istis relinquitur Quare ad has turbas euadendas expellendasq; et ad tollendam omnem earum occasionem seu causam precipuam vt ne omnino in futurũ quedam sit que procerum animos huic ñro burgo allicere quoquo modo possit ac vt resp̃ eiusdem et suus annuus census pro strenuiore tuitione suorum ciuiũ augeatur cum spc̃alibus consensu et assensu antedicti ñri gubernatoris dñorumq; secreti consilii ñri dedimus concessimus et cõmisimus ac pro nobis et ñris successoribus tenore p̃ntiũ damus concedimus et cõmittimus ñram plenariam p̃tatem liberam facultatem et licentiam spc̃alem preposito balliuis et consulibus et cõmunitati dicti ñri burgi de Abirdene presentibus et futuris ac conciuibus eorundem maiori parti antedictas aquarũ piscarias et terrarum predia quas infra libertatem dicti ñri burgi

rental is heritably assigned as salary: And which estates and fishings the aforesaid provosts and baillies and community of our said burgh, not only in these times, but beyond the memory of men, to the very great advantage of our said burgh, have let, divided into portions, to the fellow-citizens thereof: Nevertheless the neighbouring nobles of our kingdom, perceiving the profits accruing therefrom to the inhabitants of our said burgh, do, in the hope of acquiring the same, intrude, encroach, mix themselves up with and so disturb the common weal thereof, that there is left for its inhabitants no rest and no peaceful municipal life. Wherefore to avoid and put an end to such disturbances and to remove all occasion and exciting cause therefor, and lest in future there be anything which can in any way allure the nobles to this our burgh, and that the common good thereof, and its annual rental be increased for the more efficient protection of its citizens; with special consent and assent of our aforesaid governor and Lords of our Privy Council, we have given, granted and committed, and for us and our successors by the tenor of these presents do give, grant and commit, to the provost, baillies and councillors and to the community of our said burgh of Aberdeen, present and to come, and to a majority of their fellow citizens, full power, free privilege and special license to lease, rent, let, and, now and at all future times as often as

de nobis et predecessoribus ñris in feudifirma tenent habent et possident conciuibus et liberis burgensibus eiusdem ñri burgi potissimū hiis quibus de pñti pro firma assedantur et suis heredibus masculis liberis similiter burgensibus etiam dicti ñri burgi actualiter incolis et in eo fruentibus libertate priuilegiorum et merciū mutationem frequentantibus nullis aliis assedandi arrendandi locandi ac in emphiteosim seu feudifirmā nūc et omnibus temporibus futuris quoties vacare contigerit imperpetuū hereditarie dimittendi pro añua augmentatione firmarum earundem antedictis preposito balliuis et consulibus soluenda ac in vsum reip̃ dicti ñri burgi et pro defensione eiusdem applicanda hiis tamen feudifirmariis nullo pacto exemptis a curiis et placitis dicti ñri burgi nec a solutione subsidiorum et contributionū (que taxtis et stentis appellantur) neq; a debitis obedientiis dicto ñro burgo suis officiariis gubernatoribus et officia publica gerentibus prius solitis et cōsuetis Prouiso etiam q nulle femine concedetur facultas fruendi seu possidendi antedictis feudis seu vlla ip̃arum parte nec in vitali reditu hereditarie cōiūcta infeodatione nec aliter quouismodo Et ad premissa facienda dedimus et concessimus ac tenore pñtiū pro nobis et successoribus ñris damus et concedimus antedictis preposito balliuis et cōmunitati dicti ñri

a vacancy shall occur, to give in perpetual heritable emphyteusis or feufarm, the aforesaid fishings and estates, which within the freedom of our said burgh they hold, have and possess in feufarm of us and our predecessors, to the fellow citizens and free burgesses of our said burgh, especially to those to whom they are at present leased for rent and to their heirs male likewise free burgesses and also actual inhabitants of our said burgh, and therein enjoying the freedom of privileges and carrying on trade, and to no others: in return for an annual increase of the said rent to be paid to the aforesaid provost, baillies and councillors, and to be applied to the use of the common good of our said burgh, and for the protection thereof: such feuars, however, to be by no agreement exempted from the courts and pleas of our said burgh, or from payment of subsidies and contributions (which are called taxes and stents) or from the obedience due by use and wont to our said burgh, its officers, governors, and holders of public offices. Providing also that to no woman shall be granted the privilege to enjoy or possess the aforesaid feus or any part thereof, in heritable liferent, conjunct infeftment or any other way. And for the carrying out of the premises we have given and granted, and by the tenor of these presents for us and our successors do give and grant, to the aforesaid provost, baillies and community of our said

burgi et eorum successoribus plenariam p̃tatem cõmissarios pro prefatorũ feudorum assedatione locatione et dimissione eligendi quibus cõmittetur hereditaria infeofamenta feudifirme piscariarum et prediorum antedict̃ dandi concedendi et conficiendi cum talibus restrictis et annexis clausulis et conditionibus vt ex eorum animi sententia magis videbitur reip̃ expedire precipue ne licitum erit cuiquam illorum neue suis heredibus quibus cõtigerit antedicta feuda concedi ea ip̃a aut vllas earum minimas particulas quibuscunq; personis vel persone disponere seu alienare preterquam dicti ñri burgi masculis burgensibus et eiusdem mercatoribus et actualibus incolis superius recitatis et si secus fecerint ea eorum feuda dicto ñro burgo et eius dispositioni plenarie reuertere et in manibus prepositi balliuorum consulum et cõmunitatis eiusdem pro tempore vacare absq; p̃tis ñre facultatis et licentie priuilegiorumve eiusdem preiuditio aut grauamine vel quaqua lesione ceteris feudifirmariis supradictis quoquo modo inde sequenda aut inferenda Saluis omni modo et reseruatis Nobis et successoribus ñris feudifirmis predictarum aquarum et piscariarum de eisdem nobis et predecessoribus ñris ante p̃item concessionem prius debitis cum computo earundem in scaccariis ñris ānuatim fiendo more solito et consueto In Cuius Rei testimoniũ p̃tibus magnũ sigillum

burgh and their successors, full power to choose, for the leasing, letting and giving of the foresaid feus, agents to whom shall be committed [power] to give, grant and complete heritable infeftments of feufarm of the fishings and estates aforesaid, with such stringent and binding clauses and conditions that their intention to benefit the common good may be clearly seen; especially that it shall not be lawful for anyone of them or their heirs to whom it may happen that the aforesaid feus are granted to dispone or alienate the same, or any the least portions thereof, to any person or persons whatsoever except to male burgesses of our said burgh, merchants and actual inhabitants thereof, as above set forth; and if they shall do otherwise, their feus to revert to our said burgh for its free disposition, and for a time to lie vacant in the hands of the provost, baillies, councillors and community thereof, without prejudice or injury or any loss of our present permission or licence or the privileges thereof, to follow or be brought about in any way to the remaining feuars aforesaid. Saving in all respects and reserving for us and our successors the feu-duties of the aforesaid waters and fishings thereof formerly due to us and our predecessors before the present grant, with the account thereof made yearly by use and wont to our exchequer. In witness whereof we have ordered our great seal to be appended

ñrm apponi precepimus Apud Edinburgh octauo die mensis februarii anno dñi millesimo quīgentesimo quinquagesimo primo et regni ñri decimo.

XXXI.

MARIA dei gratia regina scotorum OMNIBUS probis hominibus TOTIUS terre sue clericis et laicis salutem SCIATIS nos cum auisamento consensu et auctoritate charissimi consanguinei et tutoris nostri IACOBI ducis de Chattellarault aranie comitis domini hamiltoun regni nostri protectoris et gubernatoris quandam cartam feodifirme et donationis factam per dilectos nostros prepositum balliuos consules et cōmunitatem burgi nostri de Abirdene vnanimi consensu et assensu necnon cum nostris expressꝙ facultate et licentia cum auisamento et consensu dicti ñri gubernatoris et dominorum nostri secreti consilii prefatis preposito balliuis consulibus et cōmunitati concess' conciuibus dicti ñri burgi subscriptis eorumꝙ heredibus et assignatis masculis prefati burgi burgensibus et eiusdem actualiter incolis in eodem liber-

to these presents. At Edinburgh, the eighth day of the month of February in the year of our Lord one thousand five hundred and fifty-one, and of our reign the tenth.

XXXI.

Queen Mary confirms a feu charter of the fishings of Dee and Don granted (12*th September*, 1553) *by the provost, baillies, &c., of Aberdeen.* 15*th September*, 1553.

MARY, by the grace of God Queen of Scots, TO ALL good men of her WHOLE land, churchmen and laymen, greeting. KNOW YE that with the advice, consent and authority of our most dear cousin and tutor, JAMES, Duke of Chatelherault, Earl of Arran, Lord Hamilton, protector and governor of our kingdom, we have fully considered a certain charter of feufarm and gift — by our command seen, read, inspected and carefully examined, being whole, entire, not erased, not cancelled, nor suspected in any part — made by our beloved provost, baillies, councillors and community of our burgh of Aberdeen, by unanimous consent and assent, as well as by our express privilege and licence granted to the foresaid provost, baillies, councillors and community, with advice and consent of our said governor and the Lords of our Privy Council,—in favour of the underwritten fellow-citizens of our said burgh,

tate priuilegiorum suorum et mercium mutatione vteñ et nullis aliis de omnibus et singulis piscariis aquarum de dee et done aeetiam de omnibus et singulis terris subtus specificatis eum suis profieuis pendiculis et pertinentiis solitis et eonsuetis jaeeñ intra libertatem prefati burgi nostri et vieeeomitatum nostrum de Abirdene dictis preposito balliuis consulibus et cõmunitati et prefato ñro burgo hereditarie ineumbeñ euilibet eorundem pro suis propriis partibus respeetiue prout sequitur videlieet thome Menzes de petfoddellis preposito prefati nostri burgi de tota et integra pisearia dimedii rethis de lie raik et stellis super dicta aqua de die et soliẽ et consueẽ acetiam de terris de bogfarlay Alexandro ruthirfurd de dimedietate rethis eiusdem piscarie acetiam de terris de rubbislaw thome chalmer et eo defieiente Alexandro ehalmer eius filio et heredi apparenti de dimedietate rethis eiusdem pisearie et terris de gardyne dauidi mar de dimedietate rethis eiusdem pisearie et terris de kingishill gilberto Collesoun de dimedietate rethis diete pisearie et terris de frosterhill Alexandro knollis de dimedietate rethis eiusdem piscarie patricio Meyngeis de dimedietate rethis diete pisearie thome meynzeis juniori filio et heredi quondam Andree Menzeis de dimedietate rethis eiusdem pisearie waltero eullane de dimedietate rethis eiusdem Andree

their male heirs and assignees, burgesses of the foresaid burgh and actual inhabitants thereof, making use therein of the liberty of their privileges and of trade, and to no others—of all and sundry the fishings of Dee and Don, and also of all and sundry the lands set forth below, with their profits, pendieles and pertinents used and wont, lying within the freedom of our foresaid burgh and our sheriffdom of Aberdeen, heritably belonging to the said provost, baillies, councillors and community, and to our foresaid burgh: to each his own respective portions as follows, to wit: To Thomas Menzies of Pitfoddels, provost of our foresaid burgh, all and whole the fishing of the half net of Raik and Stellis on the said water of Dee, as used and wont, and also the lands of Bogfairlay; to Alexander Rutherfurd a half net of the same fishing, and also the lands of Rubislaw; to Thomas Chalmer, and failing him to Alexander Chalmer his son and heir apparent, a half net of the same fishing, and the lands of Gardyne; to David Mar a half net of the same fishing, and the lands of Kingshill; to Gilbert Collison a half net of the said fishing, and the lands of Frosterhill; to Alexander Knollis a half net of the said fishing; to Patrick Menzies a half net of the said fishing; to Thomas Menzies, junior, son and heir of the late Andrew Menzies, a half net of the same fishing; to Walter Cullan a half net of the same; to

leslie de dimedietate rethis eiusdem andree lowsoun et eo deficieñ Johanni lowsoun eius filio et heredi apparenti de dimedietate rethis eiusdem piscarie willmo lioun de dimedietate rethis piscarie de lie midchingill super dicta aqua de dee jacobo collisoun seniori de dimedietate rethis eiusdem Iacobo Kintor de dimedietate rethis eiusdem Iacobo chene de dimedietate rethis eiusdem Alexandro Cullane de dimedietate rethis eiusdem Iohanni nicholsoun et deficieñ eo suisq; heredibus et assignatis thome nicholsoun eius patruo et tutori de dimedietate rethis eiusdem georgio bissate de dimedietate rethis eiusdem gilberto guthre de dimedietate rethis eiusdem georgio meynzeis de dimedietate rethis eiusdem quam Alexander gray nunc occupat magistro roberto andersoun de dimedietate rethis eiusdem dauidi arrate de tertia parte rethis eiusdem magistro thome menzeis de dimedietate rethis piscarie de lie pot super dicta aqua de dee Martino howisoun de dimedietate rethis eiusdem Gilberto mar de dimedietate rethis eiusdem Roberto rettary de dimedietate rethis eiusdem Andree scherare de dimedietate rethis eiusdem Iohanni scherare de dimedietate rethis eiusdem Iohanni leslie de dimedietate rethis eiusdem Thome andersoun et eo deficieñ Iohanni andersoun eius filio et heredi apparenti de dimedietate rethis dicte piscarie Iohanni rolland et eo suisq; heredibus et assignatis deficieñ dauidi rolland eius patruo et tutori de dimedietate

Andrew Leslie a half net of the same; to Andrew Lowson, and failing him to John Lowson his son and heir apparent, a half net of the same fishing; to William Lyon a half net of the fishing of Midchingle on the said water of Dee; to James Collison, senior, a half net of the same; to James Kintore a half net of the same; to James Cheyne a half net of the same; to Alexander Cullan a half net of the same; to John Nicholson, and failing him, his heirs and assignees, to Thomas Nicholson his uncle and tutor, a half net of the same; to George Bissat a half net of the same; to Gilbert Guthrie a half net of the same; to George Menzies a half net of the same which Alexander Gray now holds; to Master Robert Anderson a half net of the same; to David Arrat a third part of a net of the same; to Master Thomas Menzies a half net of the fishing of Pot on the said water of Dee; to Martin Howison a half net of the same; to Gilbert Mar a half net of the same; to Robert Rattray a half net of the same; to Andrew Scherar a half net of the same; to John Scherar a half net of the same; to John Leslie a half net of the same; to Thomas Anderson, and failing him to John Anderson his son and heir apparent, a half net of the said fishing; to John Rolland, and failing him, his heirs and assignees, to David Rolland his uncle and tutor, a half

rethis eiusdem Iacobo collesoun juniori de dimedietate rethis eiusdem Alexandro meynzeis de dimedietate rethis de lie furdis super dicta aqua de dee magro roberto chalmer de dimedietate rethis eiusdem et terris de hesilheid Iohanni Knollis de dimedietate rethis eiusdem patricio cullane de dimedietate rethis eiusdem archibaldo senzr de dimedietate rethis eiusdem Alexandro lowsoun de dimedietate rethis eiusdem roberto crag de dimedietate rethis eiusdem Thome branche de dimedietate rethis eiusdem quam gilbertus kintor nunc occupat roberto mar de dimedietate rethis eiusdem quam Alexander blinscheill nunc occupat Iohanni Malysoun de dimedietate rethis eiusdem quam patricius gray nunc occupat Willmo ferquharsoun de dimedietate rethis eiusdem nunc per andream stevin eorumq; subtenentes suis nominibus occupat respectiue Gilberto meynzeis seniori de dimedietate rethis piscarie super aqua de done Iohanni blak de dimedietate rethis eiusdem piscarie Alexandro Collesoun de dimedietate rethis piscarie eiusdem johanni Irwin de dimedietate rethis eiusdem piscarie et terris dimedietatis ville de schedokisley gilberto malysoun de tertia parte rethis eiusdem piscarie gilberto brabaner de tertia parte rethis eiusdem piscarie dauidi menzeis de sexta parte piscarie de lie criwis super eadem aqua de done Gilberto kintor de sexta parte piscarie eiusdem Alexandro hay de sexta parte eiusdem

net of the same; to James Colleson, junior, a half net of the same; to Alexander Menzies a half net of the Foords on the said water of Dee; to Master Robert Chalmer a half net of the same, and the lands of Hazelhead; to John Knollis a half net of the same; to Patrick Cullan a half net of the same; to Archibald Singer a half net of the same; to Alexander Lowson a half net of the same; to Robert Crag a half net of the same; to Thomas Branche a half net of the same which Gilbert Kintore now holds; to Robert Mar a half net of the same which Alexander Blinshell now holds; to John Malyson a half net of the same which Patrick Gray now holds; to William Farquharson a half net of the same now held by Andrew Steven and their subtenants in their names respectively; to Gilbert Menzies, senior, a half net of the fishing on the water of Don; to John Black a half net of the same fishing; to Alexander Collison a half net of the same fishlng; to John Irvine a half net of the same fishing, and the lands of half the town of Sheddocksley; to Gilbert Malyson a third part of a net of the said fishing; to Gilbert Brebner a third part of a net of the same fishing; to David Menzies a sixth part of the fishing of the Cruives on the same water of Don; to Gilbert Kintor a sixth part of the same fishing;

piscarie Alexandro fraser de sexta parte eiusdem piscarie andree Meynzeis et suis[ue] heredibus et assignatis deficieñ roberto meynzeis de octaua parte eiusdem piscarie Iohanni reid de octaua parte eiusdem gilberto knollis de dimedietate octaue partis eiusdem piscarie ac de dimedietate ville et terrarum de cruvis Gilberto Meynzeis Iuniori de terris de tullo et Iohanni Mar de terris de Kingiswallis quas Iohannes artho[r] per se et suos subtenentes nunc occupat cum omnibus et singulis proficuis pendiculis iuribus et pertinentiis earundem quibuscunq; de prefatis preposito balliuis consulibus et cõmunitati burgi ñri de Abirdene antedict̃ in feodifirma hereditate et libero burgagio Tenend̃ de mandato ñro visam lectam inspectam et diligenter examinatam sanam integram non rasam non cancellatam nec in aliqua sui parte suspectam ad plenum intellexisse sub hac forma

OMNIBUS hanc cartam visuris vel audituris Prepositus balliui consules et cõmunitas burgi de Abirdene eternam in dño salutẽ Quia nos super republica dicti ñri burgi mutuo disceptantes ut policia eiusdem augeatur opesq; inopibus nostri burgi incolis facilius accrescant recordantes etiam parliamenti statutorum regni Scotie per quondam

to Alexander Hay a sixth part of the same fishing; to Alexander Fraser a sixth part of the same fishing; to Andrew Menzies, and failing him and his heirs and assignees, to Robert Menzies, an eighth part of the same fishing; to John Reid an eighth part of the same; to Gilbert Knollis a sixteenth part of the same fishing, and a half of the town and lands of Cruives; to Gilbert Menzies, junior, the lands of Tullo; and to John Mar the lands of Kingswells which John Arthur now holds in person and by his subtenants—with all and sundry profits, pendicles, rights and pertinents thereof whatsoever: to be held of the foresaid provost, baillies, councillors and community of our burgh of Aberdeen aforesaid, in feufarm, heritage and free burgage,—in this form:

"To ALL who shall see or hear this charter, the provost, baillies, councillors and community of the burgh of Aberdeen, eternal greeting in the Lord. Whereas we, taking into consideration the common good of our burgh, in order that the polecy * thereof may be increased and that wealth may more easily be acquired by the poor citizens of our burgh, calling to mind also the Acts of Parliament of the kingdom of Scotland, made by umquhile most noble kings of Scots, of cherished

* "*Polecy*, an alteration made in a town for the purpose of improving its appearance."—*Jamieson's Dictionary*.

nobilissimos scotorum reges recolende memorie penes feudifirmi locationem confectorum vtilitate prefati ñri burgi in hac parte vndiq; preuisa pensata et considerata longo et diligenti tractatu maturaq; deliberatione prehabitis omnes et singulas piscarias nostras aquarum de dee et done necnon terrarum predia seu villas ñras cum earundem pertinentiis jacentes infra libertatem dicti nostri burgi nobis hereditarie incumbeñ nostris conciuibus suis heredibus et assignatis masculis burgeñ et actualiter incolis prefati ñri burgi in eo libertate priuilegiorum fruentibus et mercium mutationem frequentantibus et nullis aliis pro republica nri burgi et annua rentalis ñri augmentatione in feudifirmam seu perpetuam emphiteosim hereditariam locare statiuimus decreuimus ordinauimus Noueritis nos igitur vnanimi consensu et assensu premissis suadentibus aliisq; causis et occasionibus animos ñros rationabiliter mouentibus et remp̃ ñram concernentibus acetiam pro certis pecuniarum summis nobis per quosdam conciues nostros inferius nominatos in pecunia numerata persolutis ac in vsus necessarios dicti ñri burgi pro repub̃ eiusdem totaliter conuersis et applicatis Necnon pro rentalis nostri annua augmentatione ad summam duodecim librarū duorum solidorum et duorum denariorum vsualis monete regni Scotie plusq̃ vnq̃ dicte ñre piscarie et

memory, regarding letting to feufarm, the advantage of our foresaid burgh in this matter being kept in view, weighed and considered by means of long and careful discussion and mature deliberation, have ordered, decreed and ordained that all and sundry our fishings in the waters of Dee and Don, as well as our estates or townships, with the pertinents thereof lying within the freedom of our said burgh, belonging to us in heritage, be let in feufarm or perpetual heritable emphyteusis to our fellow citizens, their male heirs and assignees, burgesses and actual inhabitants of our foresaid burgh, therein enjoying the liberty of privileges and carrying on trade, and to no others, for the common good of our burgh, and for the increase of our yearly rental: Know ye, therefore, that we, with unanimous consent and assent, induced by the above considerations and by other reasonable causes and motives influencing us and affecting our common good, and also in return for certain sums of money to be paid to us in coin by sundry of our fellow citizens named below, and to be wholly converted and applied to the necessary uses of our said burgh for the common good thereof, as well as for the yearly increase of our rental by the sum of twelve pounds two shillings and two pence, usual money of the kingdom of Scotland, more than ever our said fishings and lands with their pertinents, whether by way

terre cum suis pertinentiis singulis proficuis computat̃ tam antiq^{a} firma q^{u} quinquennali gressuma nobis aut predecessoribus ñris prius persoluebant Cum expressis etiam facultate et licentia serenissime domine ñre regine Mariæ dei grā scotorum moderne Cum consensu et auisamēto charissimi consanguinei sui et tutoris Iacobi ducis de chattellarault aranie comitis domini hammiltoun regni scotie protectoris et gubernatoris invictissimi et secreti dominorum consilii sub magno sigillo nobis desuper concessis assedasse arrendasse locasse et ad feudifirmam seu perpetuam emphiteosim hereditarie dimisisse et hac pñti carta ñra confirmasse Necnon tenore pñtium assedare arrendare locare et ad feudifirmam seu emphiteosim hereditarie dimittere et hac pñti carta ñra confirmare eisdem ñris conciuibus respectiue subinsertis suisq, heredibus et assignatis masculis antedict̃ et nullis aliis omnes et singulas predictas aquarum de dee et done piscarias Necnon omnes et singulas terras ñras subscriptas cum suis proficuis pendiculis et pertinentiis solitis et consuetis Videlicet thome menzes de petfodellis * * * [etc. *ut supra*] * * * quas nunc occupat per se et suos subtenentes Iohannes arthur Cum uniuersis et singulis earundem proficuis pendiculis iuribus et pertinentiis quibuscunq, prout in ñris cartis particulariter ip̃is respectiue desuper confect̃ latius continetur TENENDAS et habendas omnes et

of old rent or of quinquennial grassum, formerly paid to us and to our predecessors; also with express privilege and licence of our most serene lady, Mary, by the grace of God reigning Queen of Scots, with consent and advice of her most dear cousin and tutor, James, Duke of Chatelherault, Earl of Arran, Lord Hamilton, invincible protector and governor of the kingdom of Scotland, and of the Lords of the Privy Council, granted to us as above under the great seal—have set, rented, let and put heritably to feufarm or perpetual emphyteusis, and by this our present charter have confirmed, as well as by the tenor of these presents, we do set, rent, let and put heritably to feufarm or perpetual emphyteusis, and by this our present charter do confirm, to our same respective fellow citizens named below and to their male heirs and assignees aforesaid, and to no others, all and sundry the aforesaid fishings of Dee and Don, as well as all and sundry our lands underwritten, with their profits, pendicles and pertinents, used and wont, to wit: To Thomas Menzies of Pitfoddels . . . [*etc., as above*, p. 53 *seqq.*] . . . which John Arthur now holds in person and by his subtenants, with all and sundry the profits, pendicles, rights and pertinents thereof whatsoever, as is more fully set forth in our charters, specially executed thereanent to them respectively. To BE

singulas suprascript aquarum piscarias et terras cum pertinentiis solitis et consuet prefatis nostris conciuibus respectiue supra nominatis suisq; heredibus et assignatis masculis burgeñ et actualiter incolis dicti ñri burgi in eo libertate priuilegiorum fruentibus et mercium mutationem frequentantibus et nullis aliis de nobis et successoribus ñris prepositis balliuis consulibus et cõmunitate dicti burgi in feudifirma seu emphiteosi ac in libero burgagio imperpetuum per omnes rectas metas suas antiquas et diuisas prout iacent in longitudine et latitudine in bondis et limitibus earundem in boscis planis moris marresiis viis semitis aquis stagnis riuulis pratis pascuis pasturis aucupationibus venationibus piscationibus cuniculis cunicullariis columbariis columbis cum edificiis desuper cõstructis et construendis cum lapicidiis lapidibus lignis et calce cum libero introitu et exitu ac cum omnibus aliis et singulis libertatibus commoditatibus et asiamentis ac iustis suis pertinentiis quibuscunq; tam non nominatis q^{u} nominatis tam subtus terra q^{u} supra terram procul et prope ad predictas piscarias et terras cum pertinenciis spectantibus seu iuste spectare valentibus quomodolib in futurum adeo libere quiete plenarie integre honorifice bene et in pace sicut alique piscarie seu terre infra regnum scotie dantur venduntur in feudifirmã dimittuntur seu possidentur sine reuocatione reclamatione aut

HELD and had all and sundry the above-written fishings and lands, with the pertinents used and wont, by our foresaid fellow citizens above named respectively, their male heirs and assignees, burgesses and actual inhabitants of our said burgh, therein enjoying the freedom of privileges and carrying on trade, and by no others, of us and our successors, provosts, baillies, councillors and community of the said burgh, in feufarm or emphyteusis and in free burgage for ever, by all their right ancient meiths and marches as they lie in length and in breadth, in the bounds and limits thereof, in woods, plains, moors, marshes, roads, paths, waters, pools, streams, meadows, pastures, pasturages, hawkings, huntings, fishings, rabbits, rabbit-warrens, dovecots, doves, with buildings thereon constructed or to be constructed, with quarries, stones, firewood and lime, with free ish and entry, and with all and sundry other liberties, conveniences and easements and just pertinents whatsoever, as well not named as named, as well below the ground as above the ground, far and near, belonging, or which may in any way in future justly belong, to the foresaid fishings and lands, with the pertinents, as freely, quietly, fully, wholly, honourably, well and in peace as any fishings or lands within the kingdom of Scotland, are given, sold, put to feufarm, or possessed,

contradictione aliquali nostrum nostrorum successorum seu aliorum quorumcunq; REDDENDO inde annuatim prefati nr̃i conburgenses superius recitati sui heredes et assignati masculi nobis et successoribus nr̃is seu collectoribus pro tempore pro hm̄oi piscariis et terris supraspecificatis firmas annuas seu pecuniarum summas respectiue subscriptas viz Quicunq; possessor hereditarius vniuscuiusq; piscarie dimedii rethis de lie raik et stellis antedict̃ summam octo librarum trium solidorum et duorum denariorum vsualis monete regni scotie que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam septem librarum sexdecim solidorum et sex denariorum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam sex solidorum et octo denariorum monete antedicte Quicunq; possessor hereditarius vniuscuiusq; piscarie dimedii rethis de midchingill summam sex librarum quindecim solidorum et decem denariorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam sex librarum duodecim solidorum et sex denariorum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam trium solidorum et quatuor denariorum Quicunq; possessor hereditarius tertie partis rethis de mydchingill summam quatuor librarum decem solidorum et septem denariorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam quatuor librarum octo solidorum et quatuor denariorum solū extendebat annuatim et sic augmētando dict̃ nr̃m rentale annuatim ad summam duorum solidorum et trium denariorum Quicunq; possessor hereditarius cuiuslibet piscarie dimedii

without any revocation, reclamation or challenge by us, our successors, or others whatsoever. PAYING therefor yearly our foresaid co-burgesses above set forth, their male heirs and assignees aforesaid, to us and our successors, or to the collectors for the time, for such fishings and land above specified, the annual rents or sums of money respectively underwritten, to wit: Every heritable possessor of each half net of the fishing of the Raik and Stells aforesaid the sum of eight pounds three shillings and two pence usual money of the kingdom of Scotland, which formerly, in estimating the old rent with grassum in our rental, extended only to the sum of seven pounds sixteen shillings and six pence yearly, thus increasing our said rental yearly by the sum of six shillings and eight pence money aforesaid; for each half net of the fishing of Midchingle £6 15s. 10d., formerly £6 12s. 6d., an increase of 3s. 4d.; for a third part of a net of Midchingle £4 10s. 7d., formerly £4 8s. 4d., an increase of

rethis de ly pot summam quatuor librarum et duorum solidorum que prius rētali nr̃o computando antiquam firmam cum gressuma ad summam quatuor librarum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam duorum solidorum Quicunq; possessor hereditarius cuiuslibet piscarie rethis de lie furdis summam triginta trium solidorum et sex denariorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam triginta duorum solidorum annuatim solum extendebat et sic augmentando dict nr̃m rentale añuatim ad summā octodecim denariorum Quicunq; possessor hereditarius cuiuslibet piscarie dimedii rethis aque de don summam nouem librarum et sexdecim solidorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam nouem librarum et duodecim solidorum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam quatuor solidorum Quicunq; possessor hereditarius cuiuslibet tertie partis rethis piscarie de don summam sex librarum decem solidorum et octo denariorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam sex librarum et octo solidorum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam duorum solidorum et octo denariorum Quicunq; possessor hereditarius cuiuslibet piscarie sexte partis de lie cruvis summam quatuor librarum trium solidorum et quatuor denariorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam quatuor librarum añuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam trium solidorum et quatuor denariorum Quicunq; possessor hereditarius cuiuslibet piscarie octaue partis de lie cruvis summam trium librarum et duorum solidorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam trium librarum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam duodecim [*sic*] solidorum Quicunq; possessor here-

2s. 3d.; for each half net of the fishing of the Pot £4 2s., formerly £4, an increase of 2s.; for each net of the fishing of the Foords £1 13s. 6d., formerly £1 12s., an increase of 1s. 6d.; for each half net of the fishing in the water of Don £9 16s., formerly £9 12s., an increase of 4s.; for each third part of net of the fishing of Don £6 10s. 8d., formerly £6 8s., an increase of 2s. 8d.; for each sixth part of the fishing of the Cruives £4 3s. 4d., formerly £4, an increase of 3s. 4d.; for each eighth part of the fishing of the Cruives the sum of £3 2s., formerly £3, an increase of 2s.; for each sixteenth

ditarius cuiuslibet piscarie dimidii octaue partis de lie cruvis summam triginta unius solidorum que prius in rentale nr̃o computando antiquam firmam cum gressuma ad summam triginta solidorum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam duorum denariorum Quicunq; possessor hereditarius dictarum terrarum de bogfarlay summam trium librarum decem solidorum et octo denariorũ que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam trium librarum et quatuor solidorum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam sex solidorum et octo denariorum Quilibet possessor hereditarius dictarum terrarum de rubbislaw summam quatuor librarum sex solidorum et octo denariorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam quatuor librarum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam sex solidorum et octo denariorum Quilibet possessor hereditarius dictarum terrarum de gardin summam quinq; librarum et sex solidorum que prius in rentali nr̃o computando antiquam cum gressuma ad summam quatuor librarum et sexdecim solidorum annuatim solum extendebat et sic augmentando dictum nostrum rentale annuatim ad summam decem solidorum Quilibet possessor hereditarius dictarum terrarum de frosterhill summam quinquaginta vnius solidorum et quatuor denariorum que prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam quadraginta octo solidorum annuatim solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam trium solidorum et quatuor denariorum Quilibet possessor hereditarius dictarum terrarum de hesilheid summam trium librarum septem solidorum et quatuor denariorum que prius in nr̃o rentali computando antiquam firmam cum gressuma ad summam trium librarum et quatuor solidorum solum extendebat et sic augmentando dictum nr̃m rentale annuatim ad summam trium solidorum et quatuor denariorum Quilibet possessor hereditarius dictarum ter-

part of the fishing of Cruives £1 11s., formerly £1 10s., an increase of 1s.; for the lands of Bogfarlay £3 10s. 8d., formerly £3 4s., an increase of 6s. 8d.; for the lands of Rubislaw £4 6s. 8d., formerly £4, an increase of 6s. 8d.; for the lands of Gardin £5 6s., formerly £4 16s., an increase of 10s.; for the lands of Frosterhill £2 11s., formerly £2 8s., an increase of 3s.; for the lands of Hazlehead £3 7s. 4d., formerly £3 4s., an increase of 3s. 4d.; for the lands of

rarum de kingiswallis tantundē per omnia sicuti possessor hereditarius de hesilheid Quilibet possessor hereditarius dimedietatis ville et terrarum de schedokisley tantundem per omnia sicuti possessor hereditarius de hesilheid Quilibet possessor hereditarius dictarum terrarum de tullo tantundem per omnia sicuti dictus possessor de hesilheid cum augmentatione quatuor denariorum Quilibet possessor hereditarius dimedietatis ville de cruvis summam quadraginta vnius solidorum et octo denariorum quē prius in rentali nr̃o computando antiquam firmam cum gressuma ad summam quadraginta solidorum annuatim solum extendebat et sic augmentando dictum rentale annuatim ad summam vigintie denariorum vsualis monete regni scotie plusq; vnq; dicte piscarie et terre antedict̃ respectiue cum suis pertinenciis nobis aut predecessoribus nr̃is prius persoluebant Quilibet possessor hereditarius dictarum terrarum de kingishill summam quadraginta solidorum que prius in rentali nr̃o vltra memoriam hõnum nihil persoluebant ad duos anni terminos vsuales penthecostes viz et sancti martini in hieme per equales portiones nomine feodfirme necnon quilibet de nouo intrans ad hm̃oi piscarias seu terras duplicabit feudifirmam antedict̃ in suo primo introitu ad easdem tantum pro omni alio onere seruitio seculari exactione seu demanda que de predictis piscariis et terris cum suis pertinenciis aliqualiter exigi poterint aut requiri PROUISO tamen per omnia q dicti nr̃i conciues sui heredes et assignati masculi antedicti nullo modo sint exempti a curiis et placitis dicti nr̃i burgi nec a solutione subsidiorum et contributionum que tax-

Kingswells, as for Hazlehead; for half the town and lands of Sheddocksley, as for Hazlehead; for the lands of Tullo, as for Hazlehead with four pence additional; for half the town of Cruives £2 1s 8d., formerly £2, an increase of 1s. 8d. upon what the fishings and lands aforesaid formerly paid to us or our predecessors; for the lands of Kingshill £2, which formerly beyond the memory of man paid nothing—at the two usual yearly terms, namely, Pentecost and St. Martin in winter, in equal portions in name of feu-duty, as also every one entering of new on fishings or lands shall pay a double feu-duty aforesaid at his first entry thereto only, in place of all other burden, secular service, exaction, or demand, which could in any way be exacted or required from the foresaid fishings and lands with their pertinents. PROVIDING, however, through all, that our said fellow citizens, their male heirs and assignees aforesaid, shall be in no way exempt from the courts and pleas of our said burgh or from payment of the subsidies and contributions which are called taxes and stents, or from the due

tis et stentis appellantur neq; a debitis seruiciis et obedientiis dicto nr̃o burgo nr̃is officiariis gubernatoribus et publica officia gerentibus prius solitis et consuetis prouiso etiam q; non erit licitum vlli femine vtendi fruendi nec possidendi antedictas piscarias seu terras nec vllam partem aut proficuum earundem in vitali reditu hereditate coniuncta infeodatione nec aliter quouismodo ad hec non licebit dictis nr̃is conciuibus suis heredibus aut assignatis nec eorum alicui duas dimediatates rethium siue duas piscarias neq; duas villas terrarum insimul hereditarie possidere quouis priuilegio licentia vel aucthoritate vllis temporibus affuturis insuper non erit licitum dictis nostris conburgensibus heredibus suis aut assignatis nec eorum tenentibus terras modo non cultas prefatarum terrarum supra recitatarum cum suis pertinenciis de nouo arrare manurare colere vrere nec seminare quouismodo in futurum (dempto possessore hereditario dictarum terrarum de kingishill et suis heredibus et assignatis antedictis eorumq; tenentibus quibus licitum erit laborare arrare et seminare easdem terras infra limites specificatas in carta nr̃a particulari desuper cõfecta prout in eadem continetur attento q; hm̃oi terre de pñti sunt penitus vaste deserte et steriles nullum fructum producentes) et q; ceteri nr̃i comburgenses conuicini et incole dicti nr̃i burgi pñtes et futuri gaudebunt et fruentur priuilegiis solitis pascendi ani-

service and obedience formerly used and wont to our said burgh, our officers, governors and those holding public offices; providing also that it shall not be lawful for any woman to use, enjoy or possess the foresaid fishings or lands or any part or profit thereof in liferent, heritage, conjunct infeftment or any other way; further, it shall not be lawful for our said fellow citizens, their heirs and assignees, or for any one of them, to possess in heritage two half nets, or two fishings, or two townships of lands at the same time, in virtue of any privilege, licence or authority in any time to come; moreover, it shall not be lawful for our said coburgesses, their heirs or assignees, or their tenants, in any manner in future of new to plough, manure, cultivate, burn or sow portions not already under cultivation of the foresaid lands above set forth with their pertinents (excepting the heritable possessor of the said lands of Kingshill and his heirs and assignees aforesaid and their tenants, for whom it shall be lawful to till, plough and sow the same lands within limits specified in our special charter executed thereanent, as is set forth in the same, because these lands at present are almost waste, desert and sterile, producing no fruit); and that the rest of our coburgesses, neighbours and inhabitants of our said burgh, present and to

malia et pecora ac proiiciendi fodiendi et ducendi glebas focalia turbaria cespites bruaria et id genus quid comburendum infra cōmuniam dicti burgi toties quoties opus fuerit modo et forma quibus ante pñtis carte confectionem gaudebant et possidebant Vlterius si contigerit dictos nostros conciues eorum heredes aut assignatos masculos antedictos seu eorundem aliquem deficere in solutione dictarum feudifirmarum respectiue annuatimt erminatim ut premittitur ad terminos suprascriptos vel saltem infra viginti dies immediate post quemlibet terminum dumodo ad hoc legitime requisiť fuerint seu fuerit per collectorem dicti burgi pro tempore q illis casibus et quolibet eorum occureñ delinquentes seu delinquens cadent seu cadet a iure hm̃oi infeodationis in [*sic*] carta sibi desuper confecta erit in se nulla inualida et omnino expirata RESERUANDO taḿen per omnia prefatas piscarias et terras cum suis pertinentiis personis que de presenti easdem respectiue in assedatione habent durantibus annis et terminis suarum assedationum cursuris dumtaxat Saluis etiam et reseruatis prefate supreme domine nr̃e regine et suis successoribus feudifirmis annuis seruitiis burgagiis inde debitis et consuetis et nos vero dicti prepositus balliui consules et cōmunitas de Abirdene et nr̃i successores omnes et singulas aquarum piscarias et terras superius recitatas

come, shall enjoy and have the benefit of the customary privileges of feeding animals and flocks, and of casting, digging and leading earth, firewood, peats, turf, heath, and all kinds of fuel within the commonty of the said burgh, as often as need shall be, in manner and form as before the execution of this present charter they enjoyed and possessed: Further, if it shall happen that our said fellow citizens, their male heirs and assignees aforesaid, or any one thereof, fail to pay the said feu-duties due at the respective yearly terms as aforesaid, at the terms above-written, or at least within twenty days immediately following any term, while legally requested to pay by the collector of the said burgh for the time, in that case and as often as it occurs the delinquent or delinquents shall lose the right of infeftment, and the charter proceeding thereon shall be null, void, and altogether without effect. RESERVING, however, in all respects, the foresaid fishings and lands with their pertinents to the persons who at present have the same respectively in lease, while the years and terms of their lease are still to run. Saving and reserving also to our foresaid supreme lady, the Queen, and to her successors, the annual feu-duties, burgage services thereon due and customary. And we, the said provost, baillies, councillors and community of Aberdeen and our successors shall warrant, acquit and for ever defend all and sundry the fishings

cum suis proficuis pendiculis et pertinentiis solitis et consuetis prefatis nr̃is conciuibus supra nominatis suis heredibus et assignatis masculis antedictis et nullis aliis in omnibus et per omnia forma pariter et effectu ut premissum est varantizabimus acquietabimus et imperpetuum defendemus IN CUIUS rei testimonium pñtibus maioris partis commissariorum nr̃orum pro tempore subscriptionibus manualibus roborat̃ Sigillum nr̃m appendi cōmune fecimus apud Abirdene duodecimo die mensis Septembris anno domine mill̃mo quingētesimo quinquagesimo tertio Coram testibus domino Iacobo barclay mag̃ro Edwardo menzes Capellanis magris Andrea harvey Toma Young Gilberto murray Ioanne Nicholsoun et Ioanne Kennedy notariis publicis cum diuersis aliis

QUAMQUIDEM cartam feodifirmam et donationem in eadem contenr̃ in omnibus suis punctis et articulis conditionibus et modis ac circumstantiis suis quibuscunq; in omnibus et per omnia forma pariter et effectu ut premissum est Cum auisamento consensu et aucthoritate dicti nr̃i carissimi consanguinei et tutoris approbamus ratificamus ac pro nobis et successoribus nr̃is pro perpetuo confirmamus saluis nobis et successoribus nr̃is firmis feudifirme iuribus et seruitiis dictarum terrarum et piscariarum cum suis pertinentiis ante pñtem nr̃am confirmationem nobis debitis et consuetis INSUPER cum auisamento consensu

and lands above set forth, with their profits, pendicles and pertinents used and wont, for our foresaid fellow citizens above-named, their male heirs and assignees aforesaid, and for no others, in all and through all, in like form and effect as aforesaid. IN WITNESS WHEREOF we have caused our common seal to be appended to these presents, strengthened by the subscriptions of the greater part of our commissaries for the time: at Aberdeen, the twelfth day of the month of September, in the year of our Lord one thousand five hundred and fifty-three, before witnesses: Sir James Barclay, Master Edward Menzies, chaplains; Masters Andrew Harvey, Thomas Young, Gilbert Murray, John Nicholson, and John Kennedy, Notaries Public, with divers others."

WHICH charter, feufarm and gift therein contained, in all its points and articles, conditions and forms, and circumstances whatsoever, in all and through all, in like form and effect as aforesaid, with advice, consent and authority of our said most dear cousin and tutor, we do approve, ratify, and for us and our successors for ever confirm: reserving to us and our successors our feu-duties, rights and services of the said lands and fishings with their pertinents, due and customary to us before our present confirmation. MOREOVER, with advice, consent and authority

et authoritate nr̃i gubernatoris antedict̃ ex nr̃a reginali potestate et authoritate regali volumus concedimus ac pro nobis et successoribus nr̃is decernimus et ordinamus q̃ hec presens nostra confirmatio tanti erit roboris valoris et efficatie conciuibus dicti nr̃i burgi suprascriptis corumq̃ heredibus et assignatis predictis et eorundem cuilibet ac sic eadem per nos sub nr̃o magno sigillo in maiori forma eis et eorum cuilibet ante sasinas per ip̃os de prefatis piscariis et terris respectiue captas data et concessa fuisset non obstanti sasinis per ip̃os de eisdem ante p̃tem nr̃am confirmationem susceptis IN CUIUS rei testimonium huic p̃nti carte nr̃e confirmationis magnum sigillum nr̃m apponi precepimus TESTIBUS reuerendissimo in christo patre Iohanne Archiep̃o Sancti Andree thesaurario nr̃o dilectis nr̃is consanguineis Georgio Comite de huntlie ac morauia domino gordoun et badzenauch cancellario nr̃o archibaldo comite ergadie domino cambell et lorne venerabili in Christo patre Georgio cōmendatario monasterii nr̃i de dunfermling nr̃i secreti sigilli custode dilectis nostris familiaribus mag̃ris toma marioribankis de ratho nr̃orum rotulorum reg̃i ac consilii clico johanne bellenden de auchnoule nr̃a iusticiarie clico et alexandro levyngstoun de donypace nr̃e cancellarie directore Apud Edinburgh decimo quinto die mensis sep-

of our governor aforesaid, of our own queenly power and royal authority, we will, grant, and for us and our successors decree and ordain, that this our present confirmation shall be of as great strength, power and efficacy for the fellow citizens above-written of our said burgh, their heirs and assignees aforesaid, and any one thereof, as if the same had been given and granted by us under our great seal in greater form to them and each one of them before the sasines taken by them on the foresaid fishings and lands respectively, notwithstanding that the sasines were taken by them thereupon before our present confirmation. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter of confirmation. WITNESSES: The most reverend father in Christ, John, Archbishop of St. Andrews, our Treasurer; our beloved cousins, George, Earl of Huntly and Moray, Lord Gordon and Badenoch, our Chancellor; Archibald, Earl of Argyle, Lord Campbell and Lorne; the venerable father in Christ, George, Commendator of our Monastery of Dunfermline, Keeper of our Privy Seal; our beloved familiar Masters Thomas Marjoribanks of Ratho, Clerk of our Rolls, Register and Council; John Bellenden of Auchnoule, our Justice Clerk; and Alexander Livingston of Donypace, Director of our Chancery. At Edinburgh, the fifteenth day of the month of September

tembris anno domini mill̃mo quingentesimo quinquagesimo tertio Et regni nostri vndecimo

XXXII.

Iacobus dei gr̃a Rex scotorum Omnibus probis hominibus Totius terre sue clericis et laicis salutem Sciatis nos pro ardenti zelo quem ob intertenendam poletiam et bonū ordinem inter subditos nr̃os gerimus precipue vero intra burgum nostrum de abirdene Intelligentes itaq; q super omnia Munus erga deum (cuius prouidētia regimini nr̃o preponimur) amplecti obuincti sumus Ac pro sustentatione hospitalitatis pauperibus mutilatis Impotentibusq; personis orphanis et parentibus destitutis infantulis preseruande sollicitos fore Cum auisamento et consensu charissimi auunculi nr̃i Jacobi morauie comitis domini abirnethie et nr̃i regni ac ligeorum nr̃orum regentis dedisse concessisse et hac pr̃ti carta nr̃a confirmasse hereditarie dilectis nr̃is preposito balliuis consulibus et cōmunitate burgi nr̃i de abirdene eorumq; successoribus Imperpetuū Totum et integrum

in the year of our Lord one thousand five hundred and fifty-three, and of our reign the eleventh.

XXXII.

King James VI. grants to the provost, baillies, etc., of Aberdeen, the habitation of the Minor Friars of the burgh to be converted into a Hospital. 30*th December*, 1567.*

James, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that from the ardent zeal which we have for the encouragement of polecy and good order among our subjects, but especially those within our burgh of Aberdeen; and recognising therefore that above all things we are bound to fulfil our duty towards God, by whose providence we are placed in our government; and anxious for the upholding of hospitality to the poor, the maimed, and the impotent, and to orphans and infants deprived of their parents; with the advice and consent of our very dear uncle, James, Earl of Moray, Lord Abernethy, Regent of our kingdom and of our lieges, we have given, granted, and by this our present charter confirmed in heritage to our beloved provost, baillies, councillors and community of our burgh of

* See Resignation by the Minor Friars to the Corporation, 29th December, 1559, *postea*.

habitaculum siue mansionem jacen intra dictum nostrum burgum cum hortis et pertinentiis eiusdem ad fratres minores dicti burgi olim spectañ per ipsosq; inhabitat^{9} ad effectum q prefati prepositus balliui consules et cōmunitas idem in hospitale pro receptione dict^{9} pauperum mutilatarum et Impotentium personarum orphanorum et infantulorum parentibus destitutorum predict^{9} conuertere possent et non alias Pro quoquidem etiam effectu nos tenore presentium dict^{9} mansionem habitaculum et hortos earundem in vnū perpetuum hospitale facimus creamus et erigimus Nouū hospitale de abirdene omni tempore affuturo nuncupand^{9} Teneñ et habeñ totum et integrum dictum habitaculum et mansionem cum hortis et pertinentiis earundem dictis preposito balliuis consulibus et cōmunitati eorumq; successoribus ad effectum predictum de nobis et successoribus nr̄is in feodo et hereditate Imperpetuū Cum potestate ipsis cum dicto habitaculo et mansione intromittendi Idem et hortum eiusdem vel aliquam earundem partem prout ipsis ad effectum superius specificatum videbitur bonū et expediens alterandi mutandi dimoliendi reformandi et reparandi in omnibus que pro asiamento et receptaculo dict^{9} pauperum et Impotentium personarum cōmoda esse poterint leges ac constitutiones pro obseruatione dicti hospitalis in bono et decenti

Aberdeen and their successors for ever, all and whole the habitation or dwelling-house lying within our said burgh, with the yards and pertinents thereof, formerly belonging to the Minor Friars of the said burgh and by them inhabited; to the end that the foresaid provost, baillies, councillors and community should convert the same into a hospital for the reception of the said poor, maimed, and impotent, for orphans and for infants deprived of their parents as aforesaid, and no otherwise. For which purpose also we by the tenor of these presents make, create, and erect the said dwelling-house, habitation, and yards thereof into a permanent hospital to be called in all time to come the New Hospital of Aberdeen. To be held and had all and whole the said habitation and dwelling-house with yards and pertinents thereof, by the said provost, baillies, councillors and community, and their successors, for the foresaid purpose, of us and our successors in fee and heritage for ever; with power to the same of intromitting with the said habitation and dwelling-place and yard thereof, or any part of the same, as shall seem to them good and expedient for the purpose above specified; of altering, changing, demolishing, reforming, and repairing in all things which may be convenient for the easement and shelter of the said poor and impotent; of making and issuing laws and constitutions to be observed in the said hospital

ordine faciendi et promulgandi que adeo valibiles tantiꝙ [*sic*] efficacie erunt ac si eedem in hac presenti nr̃a infeodatione latius erunt expresse Cum omnibus et singulis aliis libertatibus cõmoditatibus proficuis et asiamentis ac iustis suis pertinentiis quibuscunqꝫ tam non nominat^{o} q̃ nominat^{o} ad predict^{o} habitaculum et mansionem cum hortis et pertineñ earundem spectañ seu iuste spectare valeñ quomodolibet in futurum adeo libere in omnibus et per omnia sicuti aliqua hospitalia in quibuscunqꝫ partibus regni nr̃i per quoscunqꝫ nostros progenitores temporibus preteritis fundata dotata et erecta sunt sine aliqua reuocatione [*sic*] aut contradictione quacunqꝫ Reddendo inde ānuatim dicti prepositus balliui consules et cõmunitas dicti burgi ardentes et deuotas suas preces õipotenti deo ꝑ statu prospero nr̃i et successorum nr̃orum tantum In Cuius rei testimoniū huic presenti carte nr̃e magnū sigillum nostrum apponi precepimus Testibus reuerendissimo in xp̃o patre Iohanne archiep̃o sanctiandree et dilectis nostris consanguineis Iacobo comite de mortoun domino dalkeith cancellario nr̃o Wilelmo comite mariscalli dño keith Venerabili in xp̃o patre Iohanne priore monasterii nr̃i de coldinghame nr̃i secreti sigilli custode dilectis nr̃is familiaribus consiliariis Magistro Iacobo makgill de rankelour nethir nr̃orum rotulorum registri ac consilii clerico

in good and decent order, which shall be of as great force as if the same had been set forth at greater length in this our present infeftment: With all and sundry other liberties, conveniences, profits, and easements and their just pertinents whatsoever, as well not named as named, belonging, or which shall in any way in future belong, to the foresaid habitation and dwelling-house, with the yards and pertinents thereof; as freely, in all and through all, as any hospitals in any parts whatsoever of our kingdom by any of our ancestors whatsoever in times past have been given, endowed and erected: without any revocation or challenge whatsoever. Paying therefor yearly the said provost, baillies, councillors and community of the said burgh, only their zealous and special prayers to Almighty God for the prosperity of us and our successors. In witness whereof we have ordered our great seal to be appended to this our present charter. Witnesses: The most reverend father in Christ, John, Archbishop of Saint Andrews; and our beloved cousins, James, Earl of Mortoun, Lord Dalkeith, our Chancellor; William, Earl Marischal, Lord Keith; the venerable father in Christ, John, Prior of the Monastery of Coldingham, Keeper of our Privy Seal; our beloved familiar councillors, Master James Macgill of Nether Rankelour, Clerk of our Rolls, Register, and Council; and John Ballenden of Auchnoule, Knight, our Justice Clerk.

et Iohanne bellendeñ de authnoule milite nr̃e iusticiarie clerico Apud Edinburgh penultimo die mensis decembris anno domini millesimo quingentesimo sexagesimo septimo Et regni nostri primo

XXXIII.

Iacobus dei gratia Rex Scotorum Omnibus probis hominibus Totius terre sue clericis et laicis salutem Sciatis nos statum et conditionem pauperum intra regnū nr̃m perpendentes cōmiseratione erga eos cristiana et paterna pietate inducti presertim pro sustentatione pauperum hospitalium et gymnasiorum aliorumq; piorum vsuum intra burgum nr̃m de Abirdene ac vt sustententur Igitur cum auisamento dñorum nr̃i secreti consilii dedisse concessisse disposuisse et hac pñti carta nr̃a confirmasse Predilectis nr̃is preposito balliuis consuli et cōmunitati dicti nr̃i burgi de Abirdene ac eorum successoribus imperpetuū Omnes et singulas croftas terras tenementa et alia subscript̃ que perprius tam ad fratres predictores

At Edinburgh, the thirtieth day of the month of December in the year of our Lord one thousand five hundred and sixty-seven, and of our reign the first.

XXXIII.

King James VI. grants to the provost, baillies, etc., of Aberdeen, all the properties of the Black and of the White Friars, and of other ecclesiastical bodies within the burgh, for the support of a Hospital and other pious uses. 26th October, 1583.

James, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that we, weighing well the state and condition of the poor within our kingdom, influenced by Christian pity and fatherly affection towards them, especially for the upholding of the poor's hospitals and gymnasia and other pious uses within our burgh of Aberdeen, and in order that they may be kept up, have therefore, with the advice of the Lords of our Privy Council, given, granted, disponed, and by this our present charter confirmed, to our well beloved provost, baillies, council and community of our said burgh of Aberdeen and their successors for ever, all and sundry the crofts, lands, tenements and others under-written, which formerly belonged either to the Friars Preachers

quam fratres albos lie quhyte freiris de Abirdene pertinuerunt Ac nunc nobis tanq[a] pars proprietatis nr̃e corone per ordinem generalem desuper susceptum pertinent Acetiam in manibus nr̃is virtute nr̃e vltime generalis reuocationis de eisdem confecte deuenerunt viz̄ illam croftam vocat̃ lie zaird croft Iacen̄ inter terram et croftam Adami Mar ex orientali lie womānishill ex occidentali domū gilberti andersoun appellatum lie blak freiris mans[9] et templum ex australi et lacum ex boreali partibus Croftam terre vocat̃ lie sowcroft Iacen̄ inter viam publicam ex orientali lie denburne ex occidentali croftam georgii harrow ex australi et viam cōmunem ex boreali partibus Croftam vocat̃ craigwell croft Iacen̄ inter croftam mag̃ri gilberti bisset ex orientali croftam georgii Watsoun ex occidentali croftam Andree Dun ex australi et viam publicam ex australi [boreali?] partibus Tres porcas lie riggis terrarum Iacen̄ prope lie Crabstane Inter porcas terrarum diue trinitatis ex orientali croftam Alexandri leich ex occidentali viam publicam ex australi ac croftam georgii Watsoun ex boreali partibus Croftam vocat̃ Cunyngarhillis Iacen̄ inter cunicularium de Abirdene ex orientali viam publicam ex occidentali croftam gilberti Williamesoun ex australi et lie gallowhillis ex boreali partibus Duas

or to the White Friars of Aberdeen, and now belong to us as part of the property of our crown, through the general order thereanent, and also came into our hands in virtue of our last general revocation executed with respect to the same—namely: That croft called the Yard Croft, lying between the land and croft of Adam Mar on the east, the Womanshill on the west, the house of Gilbert Anderson, called the Blackfriars Manse and Kirk, on the south, and the Loch on the north; the croft of land called the Sow Croft, lying between the public road on the east, the Denburn on the west, the croft of George Harow on the south, and the common road on the north; the croft called Craigwell Croft, lying between the croft of Master Gilbert Bisset on the east, the croft of George Watson on the west, the croft of Andrew Dun on the south, and the public road on the south [north?]; three rigs of land lying near the Crabstane between the parks of the Holy Trinity on the east, the croft of Alexander Leith on the west, the public road on the south, and the croft of George Watson on the north; the croft called Cunningarhills, lying between the rabbit warren of Aberdeen on the east, the public road on the west, the croft of Gilbert Williamson on the south, and the Gallowhills on the north; two parks of land called Filthy Coppis,*

* In earlier deeds the name of this croft appears as 'Filyecope' (1477) and 'Phillecop' (1529). The form 'Fill the Cap' is used in the 17th century.

porcas terrarum vocaĩ filthy coppis Iaceñ inter futismyre ex orientali viam publicam ex occideñ croftam Alexandri cullane ex australi et croftam Ioannis Irwing ex boreali partibus Duas porcas terrarum lie riggis Iaceñ in fluris inter lie gallowhillis ex orientali publicam viam ex occideñ croftas Alexandri Malysoun ex australi et croftam olim ad gilbertum kintor pertineñ ex boreali partibus Porcam terre vocaĩ barbouris croft Iaceñ inter viam publicam ex orientali lie crukit myre ex occidentali croftam magri Roberte lūmisdane ex australi et croftam Alexandri Rutherfurde ex boreali partibus Vnam porcam terre Iaceñ inter cōmune cunicularium ex orientali croftam Willelmi vmphray ex occidentali vinellam vocaĩ garrakis Wynd ex australi et croftam Alexandri Cullane ex boreali Vnam porcam terre Iaceñ in fittieland Inter cōmune cunicularium ex orientali torrentem vocaĩ ye trinitie burne ex occidentali croftam gilberti gray ex australi et croftam Iacobi blak ex boreali Vnam porcam Iaceñ prope lie gallowgaitheid inter lie gallowhillis ex orientali viam publicam ex occidentali croftam Andree Iak ex australi et croftam Andree Malysoun ex boreali vnacum omnibus et singulis terris croftis horreis mansionibus et hortis ad predictos fratres predicatores perprius pertinentibus Acetiam omnes et singulas croftas terras et

lying between Futtie's Mire on the east, the public road on the west, the croft of Alexander Cullane on the south, and the croft of Johin Irving on the north; two rigs of land lying in the Floors, between the Gallowhills on the east, the public road on the west, the crofts of Alexander Malyson on the south, and the croft formerly belonging to Gilbert Kintor on the north; the park of land called Barbour's Croft lying between the public road on the east, the Crooked Mire on the west, the croft of Master Robert Lumsden on the south, and the croft of Alexander Rutherfurd on the north; one park of land lying between the common rabbit warren on the east, the croft of William Umfray on the west, the vennel called Garrakis Wynd on the south, and the croft of Alexander Cullane on the north; one park of land lying in the land of Futtie between the common rabbit warren on the east, the stream called the Trinity Burn on the west, the croft of Gilbert Gray on the south, and the croft of James Black on the north; one park of land lying near the Gallowgaithead between the Gallowhills on the east, the public road on the west, the croft of Andrew Jack on the south, and the croft of Andrew Malyson on the north; together with all lands, crofts, barns, dwelling-houses and yards, belonging formerly to the foresaid Friars Preachers. And also all and sundry crofts, lands, and others under-written pertaining and belonging to the

alia subscript̃ ad fratres albos vocat̃ lie quhyte freiris de Abirdene spectan et pertineñ viz̃ Croftam vocat̃ lie dowcat croft Iaceñ inter croftam martini howesoun ex orientali croftam vocat̃ langlandis ex occidentali viam publicam ex australi et croftam georgii Watsoun ex boreali Croftam vocat̃ langlandis Iaceñ inter croftam mag̃ri gilberti bisset ex orientali croftam duncani Donaldsoun ex occidentali viam publicam ex australi et croftam martini howesoun ex boreali Croftam vocat̃ Pynornuke Iaceñ inter lie Denburne ex orientali et croftas gilberti Menzeis ex occidentali fyndmark ex australi et viam publicam ex boreali croftam vocat̃ ladycroft Iaceñ inter lie pynour croft ex orientali croftam Martini howesoun ex occidentali croftam mag̃ri Iacobi burnet ex australi et croftam diui Ioannis ex boreali Croftas vocat̃ cuttingis Iaceñ inter croftam mag̃ri Iacobi burnet ex orientali croftam Martini howesoun ex occidentali Terras gilberti menzeis senioris ex australi et octo rodas lie ruddis ex boreali partibus Octo rodas seu particatas lie ruddis Iaceñ inter croftam georgii Watsoun ex orientali croftam gilberti gray ex occideñ croftam martini howesoun ex australi et viam publicam ex boreali Croftam vocat̃ pringillis croft Iaceñ inter croftam Ioannis Andersoun ex orientali Roblaw ex occidentali croftam gilberti gray ex australi et croftam

White Friars of Aberdeen, namely: The croft called the Dowcot Croft, lying between the croft of Martin Howeson on the east, the croft called Langlands on the west, the public road on the south, and the croft of George Watson on the north; the croft called Langlands, lying between the croft of Master Gilbert on the east, the croft of Duncan Donaldson on the west, the public road on the south, and the croft of Martin Howeson on the north; the croft called Pynourneuk, lying between the Denburn on the east, and the crofts of Gilbert Menzies on the west, the Fyndmark on the south, and the public road on the north; the croft called Lady Croft, lying between the Pynour Croft on the east, the croft of Martin Howeson on the west, the croft of Master James Burnet on the south, and the croft of Saint John on the north; the crofts called Cuttings, lying between the crofts of Master James Burnet on the east, the croft of Martin Howeson on the west, the lands of Gilbert Menzies, the elder, on the south, and the eight roods on the north; eight roods or particates, lying between the croft of George Watson on the east, the croft of Gilbert Gray on the west, the croft of Martin Howeson on the south, and the public road on the north; the croft called Pringill's Croft, lying between the croft of John Anderson on the east, Rubislaw on the west, the croft of Gilbert Gray on the south, and the croft of

gilberti collesoun ex boreali partibus Vnam croftam Iacen̄ inter croftam georgii Watsoun ex orientali croftam fratrum predicatorum ex occidentali croftam Duncani donaldsoun ex australi et croftam mag̃ri gilberti bisset ex boreali vnacum omnibus aliis et singulis terris croftis ānuis redditibus horreis tenemēt̄is et mansionibus ad predictos fratres albos pertinentibus Iacen̄ infra vicecomitatum n̄r̄m de Abirdene Necnon cum omnibus et singulis terris tenementis domibus edificiis ecclesiis capellis hortis pomeriis croftis ānuis redditibus fructibus deuoriis emolumēt̄is firmis elemosinis pecunia largitoria et obitus lie daill siluer et obittis et āniuersariis quibuscunq; que quouismodo pertinuerunt seu pertinere dinoscuntur ad quascunq; capellanias prebendas seu alteragia in quibuscunq; eccl̄ia capella seu collegio infra libertatem dicti burgi n̄r̄i de Abirdene per quamcūq; personā seu patronū fundat̄ in quarum possessione capellani et prebendarii earundem perprius extiterunt vbicunque infra regnū n̄r̄m Iacent vel t̄pribus retroactis percipi consueuerunt Acetiam cum omnibus et singulis terris domibus et tenementis intra dictum n̄r̄m burgum et libertatem eiusdem cum omnibus ānuis redditibus de domibus edificiis terris seu tenementis Intra dictum n̄r̄m burgum datis dotatis ac

Gilbert Colleson on the north; one croft lying between the croft of George Watson on the east, the croft of the Friars Preachers on the west, the croft of Duncan Donaldson on the south, and the croft of Master Gilbert Bisset on the north; together with all and sundry other lands, crofts, annual rents, barns, tenements, dwelling-houses, belonging to the foresaid White Friars, lying within our sheriffdom of Aberdeen; as well as with all and sundry lands, tenements, houses, buildings, churches, chapels, yards, orchards, crofts, annual rents, fruits, duties, emoluments, rents, alms, daill silver * and obits, and anniversaries whatsoever, which in any way belonged or are distinguished as belonging to chaplainries, prebends, or altarages whatsoever, founded by person or patron whatsoever, in church, chapel or college whatsoever, within the freedom of our said burgh of Aberdeen, in possession of which the chaplains and prebendaries of the same formerly were, wheresoever within our kingdom they lie, or in times past used to be gathered; and also with all and sundry lands, houses and tenements within our said burgh and freedom thereof, with all annual rents from houses, buildings, lands or tenements within our said burgh, given, endowed and founded to

* *Daill Silver*—Money for distribution among the clergy on a foundation. *Jamieson's Dictionary.*

fundatis quibuscunq; capellaniis alteragiis ecclesie mortuariis seu āniuersariis vbicunq; infra regnū nr̃m existen̄ Necnon cum omnibus et singulis annuis redditibus aliisq; deuoriis quot antea percipi consueuerunt seu acclamari poterint per quamcunq; ecclesiam extra dictum nr̃m burgum a preposito et balliuis eiusdem de eorum republica seu cōmuni bono Tenendas et habendas Omnes et singulas prenōiatas terras croftas tenementa hortos mansiones ac alia tam particulariter quam generaliter supra scripť cum suis pertinentiis predictis preposito balliuis consuli et cōmunitati ac successoribus suis de nobis et successoribus nr̃is Imperpetuū prout Iacent in longitudine et latitudine In domibus edificiis boscis planis moris marresiis viis semitis aquis stagnis riuolis pratis pascuis et pasturis molendinis multuris et eorum sequelis Aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cunicularis columbis columbariis fabrilibus brasinis brueriis et genestis siluis nemoribus et virgultis lignis tignis lapicidiis lapide et calce Cum curiis et earum exitibus herezeldis bludewitis et mulierum merchetis Cum cōmuni pastura libero introitu et exitu Ac cum omnibus aliis et

chaplainries, alterages, church burials or anniversaries whatsoever, wheresoever in existence within our kingdom; as well as with all and sundry annual rents and other duties, which used formerly to be gathered or could be claimed by any church whatsoever outwith our said burgh, from the provost and baillies thereof, out of their general fund or common good. To be held and had all and sundry the aforenamed lands, crofts, tenements, yards, mansions, and others above set forth as well in detail as generally, with their pertinents, by the foresaid provost, baillies, council and community, and their successors, of us and our successors for ever, as they lie in length and breadth, in houses, buildings, forests, plains, moors, marshes, roads, paths, ponds, streams, meadows, pastures and pasturages, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coals, coal-pits, rabbits, rabbit-warrens, pigeons, dovecots, smithies, brew houses, heath and broom, woods, groves and thickets, firewood, timber, quarries, stone and lime, with courts and their issues, herizelds, bloodwits, and merchets of women,* with common pasture, free ish and entry, and with all other and sundry

* "*Herizeld* or heriot is the best horse or ox—the best animal—the best aucht—*optimum averium* of the vassal, which became the property of the lord on his decease."

Bloodwit "means the jurisdiction in assaults where there is bloodshed, and where the *wite* or fine was to the lord of the court. The fine varied one-third as the wound was above or below the breath."

singulis libertatibus cõmoditatibus proficuis asiamentis ac Iustis suis pertineñ quibuscunq; Tam non nõiatis quam nominatis tam subtus terra quam supra terram procul et prope ad predict̃ terras croftas tenementa hortos mansiones ac alia suprascripẗ cum suis pertineñ spectañ seu Iuste spectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliqua reuocatione contradictione Impedimento aut obstaculo aliquali Cum p̃tate dictis preposito balliuis consuli et cõmunitati ac successoribus suis per se ipsos suosq; collectores quos constituere placuerint prefatos ānuos redditus fructus deuoria proficua et emolumenta quecunq; percipiendi et leuandi vbīcunq; antea percipi consueuerunt ac eadem pro sustentatione pauperum hospitalium et gymnasiorum aliosq; vsus pios intra dictum nr̃m burgum applicandi dictas terras et tenementa tenentibus assedandi et locandi ac eos remouendi Adeo libere sicuti prebendarii capellani et alii suprascripti eisdem antea gaudere et possidere poterint ad effectum et vsum antedictum Ad hec

liberties, conveniences, profits, easements, and their just pertinents whatsoever, as well not named as named, as well under the ground as above the ground, far and near, belonging, or which may justly belong in any way in time to come, to the foresaid lands, crofts, tenements, yards, mansions, and others above-written, with their pertinents; free, quietly, fully, wholly, honourably, well and in peace, without any revocation, challenge, hindrance, or obstacle of any kind; with power to the said provost, baillies, council and community, and their successors, of gathering and uplifting, by themselves and by their collectors, whom they shall please to appoint, the foresaid annual rents, fruits, duties, profits and emoluments whatsoever, wheresoever they used formerly to be gathered, and of applying the same to the support of the poor's hospitals and gymnasia, and to other pious uses within our said burgh, of setting and letting the said lands and tenements to tenants, and of removing these, as freely as the prebendaries, chaplains and others above-written could formerly enjoy and possess the same for the purpose and use aforesaid.

Merchets of women. "Some learning has been brought to show that, on the Continent, this tax—*mercheta mulierum*—represented an ancient seignorial right—the *jus primæ noctis*. I have not looked carefully into the French authorities; but I think there is no evidence of a custom so odious existing in England; and in Scotland, I venture to say that there is nothing to ground a suspicion of such a right. The merchet of women with us was simply the tax paid by the different classes of bondmen and tenants and vassals, when they gave their daughters in marriage, and thus deprived the lord of their services, to which he was entitled *jure sanguinis.*" Cosmo Innes' *Scotch Legal Antiquities*, pp. 54, 60, 53.

See also the *Transactions of the Society of Antiquaries of Scotland*, Vol. III., p. 56.

considerantes quam magna fraude fratres prebendarii et capellani suprascripti post aboletam papisticam religionem et superstitionem alienauerunt delapidauerunt et resignarunt in manibus particulariū hominū terras croftas ānuos redditus tenementa et alia respectiue perprius mortificata Ac q diuersi nr̃i liegii Ius ad quasdam terras tenementa et ānuos redditus antea mortificat̃ pretenderunt et acclamarunt per breuia capelle nr̃e ac alias sasinam eorundem tanq^{u} heredes eorum predicessoribus qui easdem antea dotarunt susceperunt que sequnta sunt partim negligentia officiariorum dicti nr̃i burgi ac partim collusione fratrum prebendariorum et capellanarū superius spectificat̃ Ideo nos cum auisamento dictorum dn̄orum tenore pn̄tis carte nr̃e rescindimus et ānullamus omnes et singulas tales alienationes dispositiones et sasinas quouismodo datas et confectas in alterationem et mutationem prioris propositi intentionis et mentis fundatorum earundem et eas in particulares vsus cōuertendo Sic q eadem ad vsus suprascriptos conuerti et applicari poterint Quamquidem declarationem volumus tanti valoris roboris et effectus fore Ac si persone obtentores dictarum dispositionū particulariter vocate fuissent ac earum infeofamenta ordinario Iuris cursu seu processu rescinderentur Necnon cum auisamento antedicto vnimus et incorporamus omnes et

Further, taking into consideration how dishonestly the friars, prebendaries and chaplains above-written, after the abolition of the popish religion and superstition, alienated, damaged and resigned into the hands of private persons, the lands, crofts, annual rents, tenements, and others respectively, formerly mortified, and that diverse of our lieges have asserted and claimed, by brieves of our chancery, the right to certain lands, tenements and annual rents formerly mortified, and otherwise have obtained sasine of the same as heirs of their predecessors who formerly gifted the same; which happened partly through the negligence of the officials of our said burgh, and partly through the collusion of the friars, prebendaries and chaplains above mentioned: We, therefore, with the advice of the said lords, do, by the tenor of our present charter, rescind and annul all and sundry such alienations, dispositions and sasines, in whatsoever manner given and completed in alteration and change of the former purpose, intention and design of the founders, and for the conversion of the same to particular uses, so that the same may be converted and applied to the uses above-written, which declaration it is our will shall be of equal value, strength and effect as if the grantees of the said dispositions had been individually summoned and their infeftments rescinded by ordinary course or process of law. Moreover, with the advice aforesaid, we unite

singulas terras croftas tenementa domus edificia templa templorum hortos capellas pomeria hortos ānuos redditus fructus deuoria proficua emolumēta firmas elemosinas obitus aniuersaria cum suis pertinen in vnū corpus nr̃am fundationem de Abirdene in futurum nūcupand Ac volumus q̃ vnica sasina semel per predictos prepositum et balliuos vel eorum aliquem apud pretoriū dicti nr̃i burgi Adeo sufficiens erit sasina pro perpetuo in futurū ac si eadem super particularibus terris croftis tenementis et aliis supradictis suscepta fuisset Non obstante distantia locorū Et q̃ in diuersis locis seu partibus Iacent Preterea uolumus q̃ fratres prebendarii et capellani ab antiquo prouisi ante aboletam superstitionem antedictam per hanc p̃item infeodacionem non preiudicentur sed ip̄is vsum dictorum fructuū et deuoriorum durante eorum vita tantum Secundum ratam reseruamus Quare tenore p̃tis carte nr̃e mandamus computorum rotulatori collectori generali p̃tibus et futuris eorumq̃ collectoribus et factoribus ac ōnibus aliis interesse pretendentibus vt nemo eorum presumat fructus deuoria et alia particulariter suprascripta pro aliquo tempore preterito seu futuro percipere seu leuare nec Impedimētum aliquod predictis preposito balliuis consuli cōmunitati et successoribus suis in pacifica gauisione et possessione eorundem inferre

and incorporate all and sundry the lands, crofts, tenements, houses, buildings, temples, temple yards, chapels, orchards, yards, annual rents, fruits, duties, profits, emoluments, rents, alms, obits, with their pertinents, into one body to be styled in time to come our foundation of Aberdeen. And it is our will that a single sasine, taken once for all by the foresaid provost and baillies, or any one of them, at the townhouse of our said burgh shall be as effective a sasine for ever in time to come as if the same had been taken on the individual lands, crofts, tenements, and others above-written, notwithstanding the distance of the places, and that they lie in diverse places or parts. Further, it is our will that the friars, prebendaries, and chaplains of old provided for, before the abolition of the superstition aforesaid, shall not be prejudiced by this present infeftment, but we reserve for them, according to their shares, the use of the said fruits and duties, during their lives only. Wherefore, by the tenor of our present charter, we direct the comptroller, collector general, present and to come, and their collectors and agents, and all others professing to be interested, that none of them shall make bold to gather or uplift the fruits, duties, or others above set forth in detail for any period past or to come, or to hinder in any way the foresaid provost, baillies, council and community, and their successors, from peacefully

preterea requirimus dños nr̃i consilii et sessionis alias nr̃as literas in quatuor formis ad instantiam prepositi balliuorū consulum et cōmunitatis dicti nr̃i burgi dirigere Ad causandum eos eorumq; factores ac alios eorum nominibus de omnibus et singulis prenōiatis terris croftis tenementis domibus edificiis fructibus deuoriis et aliis particulariter suprascriptis ac nullis aliis in futurum responderi ad effectus supra specificatos In Cuius rei Testimoniū huic p̃nti carte nr̃e magnum sigillum nr̃m apponi precepimus Testibus predilecto nr̃o consanguineo et consiliario Colino Argadie comite dño Campbell et lorne etc Cancellario ac Iusticiario nr̃o generali Reuerendissimo ac venerabilibus in x̄po patribus Patricio Sanctiandree Archiep̄o Roberto cōmendatario mo^rii nr̃i de dunfermeling nr̃o secretario Waltero cōmendatario prioratus nr̃i de blantyre nr̃i secreti sigilli custode dilectis nr̃is familiaribus et consiliariis Alexandro hay nr̃orum rotulorum regri ac consilii clerico lodouico bellendeñ de Auchnoule milite nr̃e Iusticiarie clerico Et Roberto Scott nr̃e Cancellarie directore Apud Striuiling vicesimo sexto die mensis Octobris Anno dñi millesimo quingentesimo Octuagesimo tertio Et Regni nr̃i decimo septimo

enjoying and possessing the same. Further, we require the Lords of our Council and Session to direct our other letters in four forms * at the instance of the provost, baillies, councillors and community of our said burgh, to cause them and their factors and others in their names in future to account for all and sundry the before-named lands, crofts, tenements, houses, buildings, fruits, duties, and others above written in detail, and no others, to the effect above specified. In witness whereof we have ordered our great seal to be appended to this our present charter. Witnesses: Our well-beloved cousin and councillor, Colin, Earl of Argyll, Lord Campbell and Lorne, etc., our Chancellor and Justiciar General; the very reverend and the venerable fathers in Christ, Patrick, Archbishop of Saint Andrews; Robert, Commendator of our Monastery of Dunfermline, our Secretary; Walter, Commendator of our Priory of Blantyre, Keeper of our Privy Seal; our beloved familiars and councillors, Alexander Hay, Clerk of the Rolls, Register, and Council; Lewis Bellenden of Auchnoule, Knight, Clerk of our Justiciary; and Robert Scott, Director of our Chancery. At Stirling, the twenty-sixth day of the month of October in the year of our Lord one thousand five hundred and eighty-three, and of our reign the seventeenth.

* *Letters in four forms.* "The first was a charge to pay or perform, without any certification; the second was a charge to the same effect, but with certification that horning would follow; the third was horning; the fourth was caption."—Stair's *Institutions*, IV. 47, § 2.

XXXIV.

JACOBUS Dei gratia Rex Scotorum OMNIBUS probis hõibus totius terre sue clericis et laicis Salutem SCIATIS NOS quandam cartam et infeofamentum feudifirme assedationis et locationis factam datam et concessam per quond' Gavinū Episcopum Abirdoneñ cum expressꝰ auisamento consensu et assensu decani et capituli ecclie cathedralis Abirdoneñ dilectis nostris quondā Gilberto Menzeis preposito balliuis consilio et communitati burgi nr̃i de Abirdene pro tempore et suis successoribus prepositis balliuis consilio et communitati dicti nr̃i burgi pro tempore De totis et integris terris de Ardlaire cum vniuersis suis pertineñ Iaceñ infra dominium et schirā de Clate comitatum de Gareoche ac Vicę nr̃m de abirdene ad sustentationem manutentionem reparationem et quum opus fuerit Reedificationem noui lapidii pontis super fluuio seu aqua de Die prope idem nr̃m burgum de Abirdene inter terras de Kincorth ad abbatem et conuentū de Abirbrothok spectañ ex aus-

XXXIV.

King James VI. confirms to the provost, baillies, etc., of Aberdeen, a grant made (4th December, 1529) by Bishop Gavin Dunbar of the lands of Ardlair, for the upkeeping of the Bridge of Dee. 12*th May*, 1587.

JAMES, by the grace of God King of Scots, to ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE THAT WE have fully considered a certain charter and infeftment of feufarm, assedation and lease—by our command seen, read, inspected and diligently examined—being whole, entire, not erased, not cancelled or suspected in any part thereof—made, given and granted by umquhile Gavin, Bishop of Aberdeen, with express advice, consent and assent of the dean and chapter of the cathedral church of Aberdeen, to our beloved Gilbert Menzies, provost, the baillies, council and community of our burgh of Aberdeen for the time being and their successors, provosts, baillies, council and community of our said burgh for the time; of all and whole the lands of Ardlair, with their entire pertinents, lying within the lordship and parish of Clatt, the earldom of Garioch, and our sheriffdom of Aberdeen, for the upkeeping, maintenance, repair, and, when it shall be necessary, the rebuilding of the new stone bridge across the river or water of Dee, near our burgh of Aberdeen, between the lands of Kincorth, belonging to the abbot and

trali et terras de Ruderistoun ad heredes quondā Henrici Leicht olim de barnis spectañ ex boreali partibus earundem Teneñ de dicto episcopo et suis successoribus pro solutione ānuatim viginti sex solidorum et octo denariorum nomine feudifirme tantum de Mandato nr̃o visam lectam inspectam et diligenter examinatam sanā Integram non rasam non cancellatam nec in aliqua sui parte suspectam Ad plenū intellexisse sub hac forma

Omnibus hanc cartam visuris vel audituris Gavinus miseratione diuina Abirdoneñ Ep̃us Salutem in Dñio Sempiternam Noueritis nos cum consensu et assensu ac auisamento decani et capli nr̃e ecclie cathedralis Abirdoneñ ad hoc specialiter die capitulari per sonū campane maioris vt moris est capĺr congregatorum vocatisq; vocandis et interesse habeñ et pretendeñ precedente solemni tractatu matura deliberatione prehabita ecclesieq; nr̃e cathedralis Abirdoneñ atq; reipublice ac regni Scotie vtilitate consideratis dedisse concessisse alienasse ac imperpetuum confirmasse Necnon dare concedere alienare et hac p̃ñti carta nr̃a confirmare imperpetuum dilectis nostris Gilberto Menzeis preposito balliuis consilio et communitati burgi de Abirdene et suis successoribus prepositis balliuis consilio et communitati pro tempore eiusdem burgi de Abirdene [totas et integras terras de Ardlaire

convent of Arbroath, on the south side, and the lands of Ruthrieston, belonging to the heirs of umquhile Henry Leith, late of Barnes, on the north side thereof; to be held of the said bishop and his successors for an annual payment of twenty-six shillings and eight pence, in name of feu-duty only—in this form:—

"To all who shall see or hear this charter, Gavin, by divine mercy Bishop of Aberdeen, eternal greeting in the Lord. Know ye that, with consent and assent and advice of the dean and chapter of our cathedral church of Aberdeen, specially assembled as a chapter for this purpose, on a chapter day, by sound of the greater bell, as is the custom; and all being summoned who should be summoned, and who have, or pretend an interest, after previous solemn discussion, mature deliberation, and consideration of the wellbeing of our cathedral church of Aberdeen, and of the commonwealth and kingdom of Scotland, we have given, granted, alienated and for ever confirmed, and do give, grant, alienate, and by this our present charter for ever confirm, to our beloved Gilbert Menzies, provost, the baillies, council and community of the burgh of Aberdeen, and to their successors, provosts, baillies, council and community for the time being of the said burgh of Aberdeen, All and whole our lands of Ardlair, with

cum vniuersis suis pertineñ Iaceñ infra dominium et schirā de Clate comitatum de Garcoche ac Vicē nīm de abirdene] ad sustentationem manutensionē reparationem et cum opus fuerit Reedificationē noui lapidij pontis super fluuio seu aqua de Die prope idem burgum de Abirdene inter terras de Kincorth ad abbatem et conuentum de Abirbrothok ex australi et terras de Ruderistoun ad heredes quond' Henrici Licht olim de barnis spectañ ex boreali partibus Quequidem terre de Ardlair cum pertinentiis allegaī fuerūt perprius hereditarie pertinere Andree Levingstoun* de solmys ac de nobis et etiam nīa ecclesia cathedrali Abirdoneñ per seruitiū feodifirme tente in capite Et ob non exhibitionem seu ostentationem carte sue infeodationis dictarum terrarum nobis vt de jure tenebatur per nostros legitimos processus prout juri congruit prefato Andrea ceterisq; omnibus ad easdem terras cum pertinentiis interesse habentibus seu jus in eisdem quomodolibet habere pretendeñ ad instantiam nīam super premiss' legittime citatis sepiusq; vocatis suisq; contumacijs legittime accusatis cuius ob quā causam et alias rationabiles causas nobis et successoribus nīis ad perpetuo in proprietate permanendum adiudicate fuerāt ac lapš anno et die ad plegium

their entire pertinents, lying within the lordship and parish of Clatt, earldom of Garioch and sheriffdom of Aberdeen, for the upkeeping, maintenance, repair, and, when it shall be necessary, the rebuilding of the new stone bridge across the river or water of Dee, near the same burgh of Aberdeen, between the lands of Kincorth, belonging to the abbot and convent of Arbroath, on the south side, and the lands of Ruthrieston, belonging to the heirs of umquhile Henry Leith, late of Barnes, on the north side: which lands of Ardlair, with the pertinents, were alleged formerly to pertain in heritage to Andrew Livingston of Solmys, and were held in chief of us, and also of our cathedral church of Aberdeen, by the service of feufarm; and by reason of his not exhibiting or producing to us his charter of infeftment of the said lands, as by right he was bound to do, the foresaid Andrew, and all others having interest in, or pretending in any way to have right to the said lands, with their pertinents, being agreeably to justice cited by our processes of law anent the premisses at our instance, and often summoned, and lawfully accused of contumacy; wherefore, and for other reasonable causes [the said lands] had been adjudged to us and to our successors, to remain in property for ever, and, after the lapse of the cautionary year and day having been neither

* So in *Registrum Magni Sigilli:* but "Elphinston de Selmys" in *Registrum Episcopatus Aberdonensis*, Spalding Club Edition, Vol. I., p. 393.

minime dimiss̄ seu petitis [*sic*] in rem judicatā transierunt Et quas etiam terras de Ardlaire cum pertinentijs idem Andreas non vi aut metu ductus nec errore lapsus de sua mera libera ac spontanea voluntate pro quadam certa summa pecunie per nos eidem Andree in sua magna et vrgenti necessitate persoluta in manibus nr̄is tanquā in manibus domini superioris earundem cum omni iure et iuris clameo titulo proprietate et possessione si quod quem aut quam habet habuit aut habere potuit in seu ad huiusmodi terras cum pertinentijs per fustum et baculum ad perpetuam remanentiam pure et simpliciter resignauit cessit et dimisit prout in processibus et instrumentis publicis desuper confectis latius continetur Teneñ et habeñ totas et integras terras nr̄as de Ardlair predict̄ cum pertineñ supradictis prepositis balliuis et communitate de Abirdene et burgi predict̄ et suis successoribus prepositis balliuis et communitate pro tempore eiusdem burgi de nobis et successoribus nostris Ep̄is Abirdoneñ in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout iacent in longitudine et latitudine in boscis planis moris maresijs viis semitis aquis stagnis riuolis pratis pascuis pasturis molñdinis multuris et eorum sequelis aucupationibus venationibus piscationibus petarijs turbarijs carbonarijs colum-

restored nor claimed, became so finally. And which lands of Ardlair, with the pertinents, the said Andrew, not influenced by force or fear, nor led astray by error, but of his own accord and free will, in return for a certain sum of money paid by us to the said Andrew in his great and urgent need, did, for ever, by staff and baton, purely and simply resign, grant and demit into our hands, as into the hands of the superior thereof, with all right and claim of right, title, property and possession which he has, had, or could have, in or to such lands, with the pertinents, as in the processes and public instruments thereanent executed is more fully set forth. To be held and had all and whole our foresaid lands of Ardlair, with the pertinents, by the above-mentioned provosts, baillies and community of Aberdeen and the foresaid burgh, and by their successors, provosts, baillies and community for the time being of the same burgh, from us and our successors, bishops of Aberdeen, in fee and heritage for ever, by all its true ancient meiths and marches, as they lie in length and in breadth, in forests. plains, moors, marshes, roads, paths, ponds, streams, meadows, pastures, pasturages, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coal pits, dovecots, rabbits, rabbit warrens, yards, orchards, stone and

barijs cuniculis cunicularijs hortis pomarijs lapide et calce lapicidijs fabrilibus brasinis bruerijs et genestis cum curijs et earum exitibus herezeldis bluduitis et mulierum merchetis cum cõi pastura consueta et vsitata cum libero introitu et exitu Ac cum oĩbus alijs et singulis libertatibus commoditatibus asiamẽtis et justis suis pertinentijs quibuscunq; tam non noĩatis quã noĩatis tam subtus terra q^{m} supra terram procul et prope ad predictas terras cum pertineñ spectañ seu iuste spectare valeñ quomodolibet in futurum et adeo libere quiete plenarie integre honorifice bene et in pace sine impedimento reuocatione aut contradictione aliquali In omnibus et per omnia sicuti alique tales terre infra regnũ Scotie habentur tenẽtur seu possidentur Reddendo inde prenoiãti prepositi balliui et communitas burgi de Abirdene predicť et sui successores prepositi balliui et coiĩas pro tempore eiusdem burgi de Abirdene pro perpetuo ānuatim nobis et successoribus nr̃is Ep̃is Abirdoneñ viginti sex solidos octo denarios vsualis monete regni Scotie ad duos anni terminos consuetos festa Viz̃ penthecostes et Sancti Martini in hyeme per equales duas medias portiones nobis prius ante dictam resignationẽ seu recognitionem ānuatim debitos unacum sustentatione manutentione reparatione constructione et reedificatione cum opus fuerit predicť noui pontis super aqua

lime, quarries, smithies, brew houses, broom and heath; with courts and their issues, herizelds, bloodwits, and merchets of women, with common pasture used and wont, free ish and exit; and with all and sundry other liberties, easements, and their just pertinents whatsoever, as well not named as named, as well under the earth as above the earth, far and near, belonging, or which may in any way come to belong in future to the foresaid lands, with their pertinents; and as freely, quietly, fully, wholly, honourably, well and in peace, without any hindrance, revocation or challenge, in all and through all, as any such lands within the kingdom of Scotland are had, held or possessed. Paying therefor yearly the above-named provost, baillies and community of the foresaid burgh of Aberdeen, and their successors, provosts, baillies and community for the time being of the same burgh of Aberdeen, for ever, to us and our successors, bishops of Aberdeen, twenty-six shillings and eight pence usual money of the kingdom of Scotland, at the two customary yearly terms, the feasts, namely, of Pentecost and St. Martin in winter, by two equal portions, due to us yearly before the said resignation or recognition, together with the upkeeping, maintenance, repair, construction and rebuilding, when need be, of the foresaid

seu fluuio de Die per nos strati structi et edificati secundum vim tenorem effectum et continentiā cuiusdem obligationis per prepositum balliuos et communitatem burgi de Abirdene prefaī desuper nobis pro se et suis successoribus nobis et successoribus nr̃is episcopis Abirdonen facte prout in eadem de data Apud Abirdene die decimo quarto mensis Decembris anno Domini millesimo quingentesimo vigesimo nono latius continetur nomine feudifirme tantum pro omni alio onere seruitio exactione vel demanda que de dictis terris cum pertineñ quouismodo exigi poterint vel requiri Et nos antedictus Gavinus Abirdoneñ Epũs nr̃iq̃ successores episcopi Abirdoneñ Omnes et singulas predictas terras de Ardlaire cum pertineñ prefatis preposito balliuis et communitati dicti burgi de Abirdene et suis successoribus prepositis balliuis et communitati eiusdem pro tempore In omnibus et per omnia forma pariter et effectu vt premissum est contra omnes mortales warrantizabimus acquietabimus et imperpetuum defendemus In cuius rei testimonium sigillum nostrum autenticum necnon sigillum cõmune capli nr̃i Abirdoneñ predicī huic presenti carte nr̃e in signum sui consensus sunt appensa Et eandem manu nr̃a et manibus decani et canonicorum Abirdoneñ capituli Abirdoneñ pro tempore pñtium subscriptimus [*sic*]

new bridge across the water or river of Dee, by us built, constructed and erected, according to the tenor, effect and contents of a certain obligation, made to us thereanent by the provost, baillies and community of the burgh of Aberdeen aforesaid, for themselves and their successors, to us and our successors, bishops of Aberdeen, as in the same, of date, at Aberdeen, the fourteenth day of the month of December in the year of our Lord one thousand five hundred and twenty-nine, is more fully set forth, in name of feufarm only, in place of all other burden, service, exaction or demand, which from the said lands, with the pertinents, could in any way be exacted or demanded. And we, the foresaid Gavin, Bishop of Aberdeen, and our successors, bishops of Aberdeen, shall against all living warrant, acquit and for ever defend all and sundry the foresaid lands of Ardlair, with the pertinents, to the foresaid provost, baillies and community of the said burgh of Aberdeen, and their successors, provosts, baillies and community thereof for the time being, in all and through all, in like form and effect as aforesaid. In witness whereof our authentic seal, as well as the seal of our chapter of Aberdeen, are appended to this our present charter in sign of their consent; and we have subscribed the same with our hand, and with the hands of the dean and canons of Aberdeen of the chapter of Aberdeen for the time being. At the

Apud ciuitatem Abirdoneñ decimo quarto die mensis Decembris anno Domini millesimo quingentesimo vicesimo nono Coram testibus Viz nobili et potenti domino Georgio comite de Huntlie venerabili patre Georgio priore de Plusquardin coadiutorum [*sic*] nro et successore nobilibus venerabilibusq; et discretis viris magistris et dominis Waltero Ogilvie de Monycalbek Johanne Keith de Ravÿniscraig Hectore Boctio sacrarum literarum possessorum [*sic*] colegij Abirdoneñ primario Willielmo Hay earundem literarum bachalario Willielmo Hay et Dauide Makesoun notarijs publicis cum diuersis alijs

QUAMQUIDEM cartam feudifirme et infeofamentum assedationem et locationem in eadem contentā in oĩbus suis punctis et articulis conditionibus et modis ac circumstantijs suis quibuscunq; in omnibus et per omnia forma pariter et effectu vt premissum est Approbamus Ratificamus ac pro nobis et successoribus nr̃is pro perpetuo CONFIRMAMUS Salvis et reseruatis nobis et successoribus nr̃is juribus seruitijs ac precibus prenoĩatarum terrarū ante hanc pñtem confirmationem inde solui solitis et consuetis Preterea Volumus et concedimus ac pro nobis et successoribus nr̃is pro perpetuo Decernimus et ordinamus q hec pñs nr̃a confirmatio est et erit tanti roboris fortitudinis et efficacie dictis preposito balliuis consulibus et communitati dicti nr̃i burgi de Abirdene et eorum suc-

city of Aberdeen, the fourteenth day of the month of December in the year of our Lord one thousand five hundred and twenty-nine, before witnesses, namely, the noble and potent lord, George, Earl of Huntly; the venerable father, George, Prior of Pluscarden, our coadjutor and successor; the noble and venerable and discreet men, masters and sirs, Walter Ogilvie of Monycabock, John Keith of Ravenscraig, Hector Boece, Professor of Divinity and Principal of the College of Aberdeen, William Hay, Bachelor of Divinity, William Hay and David Mackeson, Notaries Public, with diverse others."

WHICH charter of feufarm and infeftment, assedation and lease therein contained, in all its points and articles, conditions and forms, and its circumstances whatsoever, in all and through all, in like form and effect, as aforesaid, we approve, ratify, and for us and our successors for ever CONFIRM—saving and reserving for us and our successors our rights, services and prayers of the above-named lands, used and wont to be paid before this present confirmation. Further, we will and grant, and for us and our successors for ever decree and ordain, that this our present confirmation is and shall be of as much strength, force and efficacy, to the said provost, baillies, councillors and community of our said burgh of Aberdeen,

cessoribus pro ipsorum perpetua et hereditaria gauisione et possessione prefatarum terrarum de Ardlair cum suis pertineñ Acsi eadem per nos aut predicessores nr̃os per cartam nr̃am confirmationis nr̃o sub magno sigillo in maiori forma aut per bullas et prouisiones in curia Romana ante sasinam de predictis terris per ipsos suscept̃ Et ante acta parliamenti leges et constitutiones in contrarium fact̃ data et confirmata fuisse non obstante eisdem seu aliquibus penis et clausulis in eisdem contenť Circa qua et omnia alia pericula et inconuenientias quascunq; que contra dictam cartam et infeofamentum feudifirme quouismodo obijci poterint Nos pro nobis et successoribus imperpetuum per pñtes dispensamus IN CUIUS rei testimonium huic pñti carte nr̃e confirmationis Magnum sigillum nr̃m apponi precepimus Testibus (vt in alijs cartis consimilis date precedeñ) Apud Halyrudhous duodecimo die mensis Maij anno Domini millesimo quingentesimo octuagesimo septimo Et regni nr̃i vicesimo.

and their successors, for their perpetual and heritable enjoyment and possession of the foresaid lands of Ardlair, with their pertinents; as if the same had been made, given and confirmed by us or our predecessors, by our charter of confirmation under our great seal in the greater form, or by bulls or provisions in the Roman court, before the sasine of the said lands taken by them, and before the Acts of Parliament, laws and constitutions to the contrary; notwithstanding the same or any penalty and clauses therein contained, with which and all other risks and inconveniences whatsoever, which, in despite of the said charter and infeftment of feufarm, could in any way be incurred, We, for us and our successors, do for ever by these presents dispense. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter of confirmation. WITNESSES [as in other preceding charters of same date*]. At Holyrood House, the twelfth day of the month of May in the year of our Lord one thousand five hundred and eighty-seven, and of our reign the twentieth.

XXXV.

King James VI., after his Revocation, ordains a charter to be made to confirm the charter of 30th December, 1567 (No. XXXII.). 1587.

Oure Souerane Lord eftir his perfyte age of xxi zeiris compleit† and generall reuocaon maid in pliament‡ Ordains ane chartor to be maid

* See *Registrum Magni Sigilli*, Vol. V., p. 400. † 19th June, 1587. ‡ 29th July, 1587.

vnder the greit seill in ye mair forme Ratefeand apprevand and for his hienis and his successoris perpetualie confermand the infeftment grātit be o^{r} said souerane lord w^{t} consent of his dairest cowsing vmqll James erle of Murray lord abirnethy his regent for the tyme to the prouest baillies counsall & cōmunitie of the burt of Abirdene of all and haill the place and mansioun w^{t} the zairds and ptinents yrof qlk wes sumtyme occupyt and Inhabite be the gray freirs of ye said burt erectit be his hienes in ane hospitall for supporte of ye pure Impotent and orphaling as the samyn of the dait the penult day of December J^{m} v^{c} lxvij zeiris And of his Regne the first zeir at mair lenthe As alswa o^{r} said souerane lord of his princelye clemencie for the zeill he beris for Intertenyng of polycie and gud ordor amāg his subjectis And specīlie w^{t}in the burt of Aben Vndirstanding alswa That aboue all thingis his hienes is obliste to be thankfull to god be quhais puidence he is preferrit to his governament And being cairefull & soliste for the sustenta^{o}un of hospitalitie of pure Impotent mutilat persones orfalingis and zoung infantis destitute of parentis To haue gevin and grantit and disponit and confermit heritablie to the prouest baillies counsall and cōmunitie of ye said burt of Abirdene and to thair successoris for euir all and haill That duelling place or mansioun liand w^{t}in ye said burt w^{t} the zairdis and ptinents yrof qlk sumtyme ptenit to the gray freiris of the said burt and ues inhabite be them To the effect That the saidis prouest baillies counsale and cōmunitie may convert the samyn in ane hospitall for resaite of the saidis pure mutilat and Impotent persones orfalingis and infantis destitute of parentis For the qlk effect We be thir pñtis makis treatis and erectis the said Mansioun duelling place and zairdis In ane ppetuall hospitall To be callit in all tymes cūinge the neu hospitall of abirdene To be haldin and to be had all and haill ye said duelling place or Mansioun w^{t} the zairdis and ptinentis yrof to the saidis prouest baillies & counsall & cōmunitie and thair successoris to the effect forsaid of Us & o^{r} successoris in fie & heritage for euir With power to them To Intromet w^{t} the said duelling place or Mansioun And to alter change dimolische Reforme and Repaire the samyn for the eisment and resaite of the saidis pure and Impotent psones as zai sall think expedient Lawes & Constitutionis for obserua^{o}un of the said hospitall in gude ordor To mak and set suo the qlk salbe als valiabill & of als grite effect as gif the samyn had bene expressit at mair len^{t} in this pñt infeftment W^{t} all and sindrie vtheris

liberties eismentis and Richteous ꝑtinentis qᵗsumeuir Gevand thairfor zeirlie The saidis ꝑuest baillies counsall & cōmunitie of the said burt ardent and diuote prayeris to the omnipotent god for the prosperous state of oʳ said souerane lord and his successoris allanerly And that the said chartor be extenеit in the best forme wᵗ all clauss neidfull Subscryuit be oʳ said souerane lord At the day of 1587.

[*Signed*] JAMES R̄.

XXXVI.

James VI. ordains the members of the town council of Aberdeen to be elected yearly. 20*th July*, 1591.

Iames Be the grace of god king of Scottis To oure aduocat and all vyeris oʳ liegis and subdittis quhome it efferis Quhais knawlege yir oʳ ꝥres salcum greting Wit ze Us considering the guid trew and thankfull seruice done to Us and oʳ predicessorꝭ be ye provest bailleis and counsall of oʳ burt of Abirdene alsweill in ye wyis' and prudent governament of ye saiñ According to ye ancient custome liberteis and priuileges yairof Inviolable obseruit past memorie of man As in yair reddie and dewtefull obedience gevin pruif of from tyme to tyme toward vs be exponying of yair landis and lyifis in oʳ seruice and repressing of dyveris rebellionis and vproiris movit at sundrie tymes in ye north pairtis of yis oʳ realme And we vnderstanding yat ye cheif grund and caus of the long flurischeing of oʳ said burt in peace tranquillitie and guid seruice towardis Us Consistit in a guid and substantious counsall of ye gravest wyis' and discreit Inhabitantis of oʳ said burt best dispost and affectit to oure obedience qlkis hes contenuit in ye saiñ office sen yair first electioun vnalterit or changeit be ye space of fourtie or fyiftie zeiris According to ye lovabill consuetude of oʳ said burt Inviolable obseruit the space of a hundreth zeiris befoir Qlk consuetude of ye contenwing of yair counsall efter yair first lauchfull electioū vnto ye tyme of yair deceis Except yai had been tryit or fund giltie of sum cryme meriting deprivatioun Is ratefeit and approvin be dyveris actis and constitutionis of oʳ said burgh And hes bene maist wyislie and prudentlie establishit be yair predicessorꝭ for avoiding of grit dangeris and Incōuenientis qlkis vyerwyis myt haue fallin out within oʳ said burgh be ye zeirlie changeing and

alteratioun of ye said counsall Qlkis cheiflie suttit be dyveris vnquiet and ambitious personis To ye effect that ye governament of o^r^ said burt suld be devoluit in ye handis of outlandis men of grit clannis and surnames qlkis compass^e^ and dwellis round about o^r^ said burt And hes be all meains baith directlie and indirectlie aspyrit to ye reule and governament of ye samyn Expres' agains o^r^ actis of parliament Inhibiting and dischargeing ye electioun of outlandis men In provest bailleis or auldermen w^t^in burgh In ye qlk cais o^r^ said burgh suld rather becum a monople thrallit and astrictit to yat factioun and clan qlk suld happin to be preferit to ye governament Nor a fre burgh To ye vtterwrak and detrimeut yairof In consideratioun quhairof and yat o^r^ act of parliament* maid anent ye changeing of ye zeirlie counsall hes nevir zit tane effect w^t^in o^r^ said burgh Bot ye personis anes lauchfullie chosin vpoun counsall hes contenuit yairon vnto ye tyme of zair deceiss Alwyis subiect to ye tryall of ye ny^t^bouir' of o^r^ said burgh And incais of ony falt or cryme the sam̄ hes bene ordorlie tryit vpoun ye gyld court day efter ye electioun of ye magistratis yairof And being fund giltie yai haue bene removit and depryvit and vyeris placeit in yair rowmes qrvpoun hes followit a grit tranquillitie and concord w^t^ or said burgh And in respect of mony vyer Incōuenientis qlk ye zeirlie changeing of ye said counsall may carie w^t^ it Namelie ye abrogatioun of ye auld Lawis and statuteis of o^r^ said burgh The disturbance of ye cōmoun peace yairof The tumle disordo^r^ and discentioun yat micht follow yairvpoun w^t^ ye infinite confusioun and perrell qlk cōmounlie accumpantis all new changeis and imitationis In cōmoun welthis · We haue allowit and be yir o^r^ łres allowis of yat pñt electit counsall of o^r^ said burt and Willis and declaris yat ye saiñ counsall sall remane and stand efter ye ancient consuetude and custome yairof in all tyme cumying And incais of yair deceiss or tryit vnvorthines That ye remanēt of ye counsall elect vyeris in yair places It being alwyis vnderstand yat ye saiñ counsall be zeirlie heirefter electit be voit of counsall and sic vyer ceremoneis as ar accustomat in electioun of magistratis within burgh Notw^t^standing of o^r^ act of parliament maid anent ye zeirlie change and electioun of magistratis within burgh Anent ye qlk We haue dispensit and be yir o^r^ łres dispensse in yat pairt concernying ye changeing of ye counsall allanerlie Renūceand and dis-

* *Acts of Parliament of Scotland*, Vol. II., pp. 95, 244, 252.

chargeand all actioun and persute competent to Us or or successore twiching ye contraventioun of or said act of parliament yairanent Dischargeing zow or said aduocat of all persute movit or to be movit agains ye said counsall for contraventioun of ye saiñ act And not fulfilling of ye saiñ in yat point And of zor office in that pairt be yir or lres Gevin vnder or privie seill At falkland the twentie day of July The zeir of god jm vc fourescoir ellevin zeiris And of or rignne the twentie for zeir

Per signaturā Manibus S. D. N. Regis
ac cancellarij subscripī

XXXVII.

King James VI. exempts the provost, baillies, etc., of Aberdeen from attendance at certain assemblies. 16*th May*, 1592.

Iames Be ye grace of god king of Scottis To all and sindrie our Shreffis stewartis Iustice Iustice clerkis thesaurare aduocate and all vyeris Iugeis and ministeris of our Law yair deputtis and officiaris present and to cum liegis and subdittis quhome it effeiris quhais knowlege yir our lres salcum greting WIT ZE WS vndirstanding that the Provest bailleis counsall and cōmunitie of oure burgh of Abirdene ar oftymeis atteichit and summondit to pas vpoun inqueistis assyisz to our burgh of edinburgh and vyeris pairtis outwith yair boundis and jurisdictionis in crymeis cōmittit far distant fra yame quhairof yai ar altogidder ignorant and yat yai had ane expemtioun to the effect vnderwrittin gevin and grantit to yame be Us with avise of vmqle or ryt traist cousing James erle of mortoun Lord dalkeith etc Regent to Us oure realme and liegis for ye tyme As the samin exemptioun of the dait at Abirdene ye third day of september ye zeir of god jm vc thriescoir fouretene zeires dewlie and ordourlie past admittit in the Iustice court holdin at our said burgh of Abirdene immediatlie yaireftir be umqle Sr Iohne bellenden our Iustice clerk for ye tyme at mair lenth beiris As alswa considdering how vpoun ye occasioun of commissionis of Lieutennendreis and Iusticiareis grantit in fauoris of ye nobilmen of ye cuntrie or to vyeris for administratioun of Iustice passing vpoun oure rebellis and disorderit

personis for revenge of privat querrellis and contraverseis betuix pairtie and pairtie ye saidis Provest bailleis counsall and cōmunitie ar oftymeis drawin furth of yair awin toun to vyeris pairtis of ye cuntrie to ye gryte hazard of yair lyveis and wrak of yair guidis Albeit yat according to ye libertie of frie burgh quhairwith yai and yair pridicessorꝭ ar infeft and foundit yai aucht onlie to attend vpoun oure self being in ye feildis in propir persoun or with oure Lieutennent in defence of oure realme agains forane nationis And haueand consideratioun that oure said burgh of Abirdene lyis within ye north pairtis of oure realme far distant fra Ws And of ye gude trew and thankfull service done to Ws and oure predicessouris be ye Prouest bailleis counsall and communitie of oʳ said burᵗ alsweill in tyme of weir as of peace and of yair reddy and dewtifull obedience towardis Ws quhairof we haue daylie pruif and experience and respecting yair guid mynd to continew yairin heirefter THAIRFORE We haue gevin and grantit and be yir our ſres gevis and grantis to ye Provest bailleis counsale cōmunitie burgesſ craftismen and indwellaris of oure said burgh of Abirdene pñt and to cum Speciall licence to remane and abyde at hame fra all raidis conventionis oistis assembleis armeis gatheringis wapinschawingis or weris to be maid be ony oure Iustices be commissioun of Lieutennendrie Iusticiarie or vyer commissioun quhatsumevir to be grantit be Ws or oure successorꝭ or meiting of yame in ony pairt within oure realme in tyme cūming except yat ayer oure self be pñt in propir persoun or yat our lieutennent accompaneit with ye remanent of oure realme be vpoun ye defence of ye cuntrie agains forane nationꝭ or yᵗ oʳ self pas for repressing of rebellꝭ and traitorꝭ againis oure persoun within Ye cuntrie And fra all comperane or passing vpoun any assyisſ or inqueistis in quhatsumevir crymeis or actionis (except sick crymes as ar cōmittit within oure said burgh fredome yairof and tua myles about ye same) Exemis and dischargeis yame and ilkane of yame yairfra during all ye dayis of yair lyvetymes And willis and grantis yat yai in doing yairof sall incur na payne skaith cryme nor danger in yair personis landis or guidis nor be callit nor accusit yairfore criminalie nor ciuilie be ony maner of way in tyme cūming notwithstanding ony our actis statutis ordinanceis ſres proclamationis or chargeis quhatsumevir speciall or generall maid or to be maid in ye contraire Anent Ye quhilkꝭ and all panis contenit yairintill We haue dispensit and be yir oure ſres dispenſſ with ye Provest bailleis counsall cōmunitie burgesſ craftismen

and indwellaris of our said burgh pñt and to cum for evir DISCHARGEING heirfore zou all and sindrie oure Shreffis stewartis Iustice Iustice clerkis thesaurare aduocate and all vyeris Iugeis and ministeris of or lawis zoure deputtis and officiaris pnt and to cum Off all calling accusing atteiching arreisting summonding warning poinding trubling or onywyse intrometing wt ye saidis Provest bailleis counsall cōmunitie burgesss craftismen and indwellaris of oure saide burt pnt and to cum yair landis or guidis in onywyse in tyme cūming for yair said remaining and abydeing at hame fra oure saidis raidis armeis and vyeris forsaidis and fra all and sindrie inqueistis and assyisss to be cōmittit as said is and of zr offices in yat pairt be yir oure łres GEVIN vnder oure Privie seill At dalkeith ye sextene day of Maii The zeir of god jm vc fourescoir tuelff zeiris And of our Regnne ye twentie fyve zeir

Per signaturam Manibus S. D. N. Regis
Ac secretarii Subscriptam etc etc etc

XXXVIII.

King James VI. grants licence to the provost, baillies, etc., of Aberdeen to remain at home from the army. 23rd October, 1594.

We be ye tennor heirof gevis and grantis or Licence to the prouest baillies counsale communitie and haill inhabitantis of or burgh of Abirdene and fredome thairof To remane and byde at hame fra oure pñt oist and armey conuenit at or said burgh of Abirdene and appointit to pas fordware with us to ye north pairtis of or realme without ony pane cryme skaith or dangeir to be Incurrit be yame yrthrow in thair psonis landis guidis or geir Nochwithstanding quhatsumeuir or actis statutis or pclamationis maid or to be maid in ye cōtraire Qranent and all panes ꝗtenit yrintill we dispens be yir pñts Gevin vndir or signet and Subscryuit wt or hand At abirdene ye xxiij day of October and of or reignne ye xxviij zeir 1594

JAMES R.
I. T. Cancłlrius

XXXIX.

King James VI. grants power to the provost, baillies, etc., of Aberdeen to feu part of a road between the Kirk and the Forecroft. 17*th March*, $159\frac{4}{5}$.

IAMES be the grace of god king of Scottis To all and sundrie oure leigis and subditis quhome it effereis Quhais knawlige thir oure letteris Salcum Greiting WITT ZE WS efter oure age of tuentie fyve zeiris And all oure reuocationis alswill speciall as generall With auise and consent of oure thesaurair Vnderstanding how the provest bailleis counsall and cōmunitie of oure burgh of Aberdene ar of mynd and purpois to joyne the paroche kirk of o^{r} said burgh contigue with the remanent of the samyne burgh houss tenementis and biggingis thairof for the policie and decoratioun of the said toun ffor the quhilk effect necessair it is to thame to sett in feu Rentall or vtherwyis to the nichtbouris of the said toun or sum vtheris That pairt of the gait and way betuix the wester zaird dyke of the said kirk and the foircroft sumtyme belangand to the blak freiris of Aberdene with vtheris pairtis round about the said kirkzaird togidder with vther waist places of the said burgh ffor bigging of houss and tenementis thairupoun Quhairby not onlie sall the boundis of the said burgh be enlairgit in houss and policie Bot also the said parroche kirk salbe circuit with tenementis and biggingis according to the maner of sindrie vtheris oure burrowis within oure Realme And We being of gude mynd and purpose to further and incurage the provest bailleis counsall and cōmunitie of oure burgh foirsaid to the performance and accomplishment of the said gude work THAIRFORE with auise and consent foirsaid efter oure aige and reuocationis abouewritin To haue gevin grantit and disponit and be thir oure Letteris gevis grantis and disponis to the provest bailleis counsall and cōmunitie of oure said burgh of aberdene present and to cum and thair successouris Expres licence libertie and facultie to sett out to the nichtbouris of oure said toun Or to onie vther persoun or personis in few rentall tak or simpill alienatioun As the saidis provest bailleis counsall and cōmunitie sall think expedient That pairt of the said gait and way betuix the wester zaird dyke of the said kirk and the said croft sumtyme belanging to the blak freiris of Aberdene with vtheris pairtis round about the said

kirkzaird Togidder with vther waist places of oure said burgh ffor biggingis houss and tenementis To be maid and biggit thairupoun And to that effect To designe the samyne bigginges houss and tenementis sua to be biggit vpoun the samyne be particulair places boundis meithis and merchis AND ALS to have gevin grantit and disponit and be thir oure Letteris gevis grantis and disponis full power to the personis to quhome the pairtis befoir specifeit Salbe sett out as said is To mak and big houss tenementis and biggingis thairupoun According to the particulair designationis rychtis and titlis to be maid to thame thairanent be the saidis provest bailleis counsall and cõmunitie Lykeas also we with consent foirsaid efter oure aige and reuocationis befoirspẽit be thir oure letteris for us and oure successouris Now as gif the pairtis befoir mentionat war alreddy set out and than as now Ratifie approve and perpetuallie confirmis All and quhatsumeuir fewis rentallis takis and vtheris dispositionis to be maid be the saidis provest bailleis counsall and cõmunitie of aberdene and thair successouris pñt and to cum of the samyne partis or Onie portioun thairof And Lykwyis be thir presentis We for us and oure successoures Renunce and simpliciter discharge all actioun criminall and ciuile Quhilk we or oure foirsaidis may have agains thame for setting out of the pairtis befoirmentionat or onie portioun thairof narrowing of the foirsaid gait and way or for purprusioun or for quhatsumeuir vther caus Quhilk we or oure foirsaidis may lay to thair charge thairanent Renunceand the samyne simplr̃ for euir PROUIDING alwayis That the saidis provest bailleis counsall and cõitie and thair successouris Leve ane sufficient passage in that pairt of the said toun betuix the wester zaird dyke of the said kirk and the foirsaid foircroft ffor entre and ischue to our said toun According to the sicht and discretioun of the saidis provest bailleis and counsall AND forder we for us and oure successouris be thir oure lr̃es with auise and consent foirsaid now efter oure aige and reuocationis abouewrittin Ratifie and approve All and quhatsumeuir dispositionis Licences and tollerances maid gevin and grantit be the saidis provest bailleis and counsall of oure said burgh and thair predicessouris in onie tyme bigane Or to be maid gevin and grantit be thame and yair successouris in onie tyme cumyng To onie personis induellaris within oure said burgh ffor bigging amplifeing and extending of the boundis of the houss and tenementis vpoun onie pairt of the streitis wayis or Cõmoun gaitis of

oure said burgh of Aberdene or round about the samyne And sall neuir move questioun querrell or actioun thairanent agains thame nor thair successouris nor zit agains the saidis personis To quhome the saidis dispositiouns Licences and tollerances hes bene and salbe maid gevin and grantit And quha hes biggit or sall big According thairto Or thair airis Bot renunces and simplī dischargis the same for Us and oure successoures now and in all tyme cūing · GEVIN vnder oure privie Seill at Halyruidhous the Sevintene day of March The zeir of god J^{m} v^{c} fourescorefourtene zeiris And of oure Reignne the tuenty aucht zeir

Per Signaturam Manibus S. D. N. Regis etc Subscriptam etc

XL.

King James VI. grants to the provost, baillies, etc., of Aberdeen, for five years, certain dues upon goods and shipping. 8th August, 1596.

JAMES be the grace of god king of Scottis To the lordis of oure counsall and Sessioun And all and sundrie merchantis marineris inhabitantis and induellaris within oure burgh of Aberdene and all vtheris oure liegis fremen and vnfremen and vtheris strangearis of quhatsumeuir vther natioun resortand and repairand to the said port harberie and heavin of oure said burgh Greiting WIT ZE Us vnderstanding that the bulwark peir schoir heavin and harbrie of the burgh of Aberdene Is be occasioun of tempestuous wedder Invndatioun of fluidis vehemencie of stormis grit streamis and hie springis now becum ruynous and decayit Quhilk wes befoir weill and substantiouslie biggit be the grit chargis of the inhabitantis of oure said burgh Sua that gif the samme be not repairit and helpit in tyme The samyne wer abill altogidder to perish To the grit hurt of the inhabitantis of oure said burgh and vtheris resortand and repairand yairto THAIRFORE and for ye cōmoun weill of oure said burgh and for ye helping bigging repairing and making of the said bulwark peir schoir and harbrie and for the cōmoditie of all oure liegis alswele fremen and vtheris within oure Realme as straungiris of quhatsumeuir natioun resortand and reparand with thair schippis Laidiningis and gudis To and fra the said port and heavin of Aberdene

To have gevin and grantit and be the tennour of thir oure letteris gevis and grantis Licence to the provest bailleis counsall and cōmvnitie of oure said burgh of Aberdene pñt and to cum To vplift the impost toirst and exactioun following To be vpliftit resauit and vsit be the thesaurair of oure said burgh for the tyme in thair names To the effect foresaid During the space of fyve zeiris nixt following the day and date heirof That is to say of ilk tun gudis loissit in ye said heavin tua schillingis at the incuming and at ye laidining and outganging Tua schillingis And of the veschell Tuelf penneis for the tun at the incuming and tuelf penneis at the outganging And that of all sort of geir Except cole Lyme sklait and frestune quhilk is ordanit to be fre of the said impost Item of ilk chalder victuall dischargit or lossit within ye said harbrie tua schillingis at the Incuming and of ilk chalder victuall transportit furth thairof tua schillingis and of the veschell tuelf penneyis ilk chalder incūing or loissing and tuelf penneis at hir outganging and laidinyng Item ane tre of ilk hundreth loisit or Ladinit within the said harberie WITH POWER to the saidis provest and bailleis To ask crave resave intromet with and vptak Be thame selffis thair thesaurair in thair name and vtheris thair officiaris and seruandis The forsaid impost toirst and exactioun induring ye space foirsaid And gif neid beis to poynd and distreinze thairfore ffrelie quietlie wele and in peax But oure reuocatioun or again calling quhatsumeuir QUHAIRFORE we charge straitlie and cōmandis Zou all and sundrie the mirchantis marineris inhabitantis and induellaris within oure said burgh of Aberdene And all vyeris oure liegis fremen and vnfremen and vtheris strangearis of quhatsumeuir vther natioun resortand and repairand to the said port harberie and heavin of oure said burgh That ze reddilie ansuir inteind obey and mak thankfull payment To the saidis provest and bailleis thair thesaurer officiaris seruandis and collectouris pñt and to cum And to nane vtheris in the premissis during the said space And yat ze mak na stop trubill nor impediment to thame in the executioun of the samyne and vptaking of the deuteis foirsaidis to the effect abouespecifeit COMMANDING also zou the saidis Lordis of oure counsall and sessioun To grant and direct oure vtheris Letteris of poinding and horning vpoun ane simpill charge of sex dayis allanerlie ffor ansuiring thame thairof in sic competent and dew forme as effeiris GEVIN vnder oure previe seill At Dumfermling the Aucht day of

August The zeir of god J^m v^c fourscore sextene zeiris And of oure Reignne the thretty zeir

Per signaturam manibus S. D. N. Regis etc subscriptam

XLI.

King James VI. grants licence to the provost, baillies, etc., of Aberdeen to remain at home from the army at Dumfries. 18*th March*, 1597/8.

We vnderstanding that o^r weilbelouittis the prouest baillies counsall and cōmunitie of o^r burgh of abirdene his satisfeit and pait to Archibald prymrois writter o^r collecto^r appointit for ressaving of the taxatioun ordanit to be vpliftit w^tin the sy^refdomes of abirdene Banff elgin and forres for intertenying of o^r Lieutenent and garinsons on ye west bordo^rȩ of o^r realme in ye moneth of Marche instant and Licence grantit to ye inhabitantis of o^r saidis sy^refdomes to remane at hame fra o^r raid and army ordanit to haue *q*venit at drumfreis vpoun the first day of Marche instant Off the sowme of Twa hundreth pundȩ money for the taxatioun of o^r said burgh Q^rfoir we haue dispensit and be the tenno^r heirof dispenss with the saidȩ prouest baillies counsall & cōmvnitie of o^r said burgh of abirdene for y^r nocht convenīg at drumfres vpoun ye day abouew̃ttin And gevis and grantis thame Licence to remane at hame fra o^r said raid and army And uills and grantis that they sall nocht be callit nor accuseit thairfoir criminalie nor ciuilie be ony maner of way in tyme cūing Nor incur ony skaith or danger thairthrow in y^r personis landȩ nor gudȩ Notwithstanding q^tsumeuir o^r actis or proclamationis maid or to be maid in the contrair or ony panis contenit thairin anent the qlk we dispens be thir p̃ntis Dischairgeing theirfoir o^r iustice iustice clerk thesaurair aduocat and vtheris Iugeis and ministeris of o^r Lawis q^tsumeuir Off all calling accuseing or vnlawing of the saidȩ prouest ballies counsall and cōmvnitie of o^r burgh of abirdene for ye caus foirsaid Poinding troubling or intrometting with thame thair Landȩ or guidȩ y^rfoir And of thair offices in y^t pairt for euir Gevin vnder o^r signet and subscryuit w^t o^r hand At halirudhous the xviij day of Marche And of o^r Reigne the xxxj zeir 1597

James R
Blantyre
I Cokburne

XLII.

Iacobus dei gratia Rex Scotorum Omnibus Probis hominibus Totius terre sue clericis et laicis Salutem Sciatis Quia nos in memoriam reuocantes feruentem illam magnāq; solicitudinem quam nr̃i nobilissimi progenitores recolende memorie temporibus retroactis in erectione burgorum infra regnū nr̃m susceperunt quorum multitudine magna pars ciuilitatis seu ornamenti cōmodi emolumenti ac decoris eiusdem indies augescit et consistit Inter quorum numerum pro bono fideli et gratuito seruitio per burgenses et inhabitantes burgi nr̃i de Abirdene dictis nr̃is nobilissimis progenitoribus Impenso Cuius consideratione Ac pro singulari fauore et affectu per ipsos dicto burgo burgensibusq; eiusdem habito et declarato Ipsi nr̃i progenitores ab antiquo dictum burgum In vnū liberum burgum regalem erexerunt Ac eidem burgo burgensibus et Inhabitantibus eiusdem Totas et integras terras vocatas forestam nr̃am de stockett cum silua earundem partibus pendiculis et suis pertinentiis cum molendinis aquis piscariis minutis custumis telloniis curiis ponderibus mensuris

XLII.

King James VI. confirms sundry charters granted by his predecessors, and of new erects the burgh of Aberdeen into a free royal burgh, with all privileges pertaining thereto. 14*th August*, 1601.

James, by the grace of God King of Scots, to all good men of his whole kingdom, churchmen and laymen, greeting. Know ye that calling to mind that great and earnest care which in times past our most noble ancestors of cherished memory bestowed on the erection within our kingdom of burghs, by the number of which a great part of the refinement or ornament, advantage, gain and glory of the same is formed and increased from day to day; in the number of which, in return for the good, trusty and gratuitous service rendered to our said most noble ancestors by the burgesses and inhabitants of our burgh of Aberdeen, and because of the singular favour and regard had and declared by them for the said burgh and the burgesses thereof, these our ancestors did of old time erect the said burgh into a free royal burgh, and did give, grant and dispone to the same burgh, the burgesses and inhabitants thereof, all and whole the lands called our Forest of Stocket, with the wood of the same, and their parts, pendicles and pertinents, with mills, waters, fishings, petty customs, tolls, courts, weights, measures, free

libero portu oñibusq; aliis priuilegiis libertatibus cõmoditatibus ac Iustis pertinentiis valentibus ad aliquem alium liberum burgum regalem intra regnũ nr̃m Ac sicuti Idem nunc per prepositum balliuos consules et cõmunitatem dicti nr̃i burgi eorum tenentes aliosq; eorum nominibus per ipsorum Ius ac dispositionem possidentur dederunt concesserunt et disposuerunt quãuis maxima pars antiquorum infeofamentorum et evidentiarum eiusdem ut notorie et manifeste nobis constat per Incursiones et Iniuriam anglorum tempore combustionis dicti nr̃i burgi ac castri eiusdem Combusta et destructa fuerunt paucis preseruatis Exceptis infeofamentis subsequentibus dict̃ nr̃o burgo per nr̃os predicessores fact̃ et concess^{9} viz̃ Vno infeofamento per quondam Alexandrum regni nr̃i Regem pro tempore dato et concesso predicto nr̃o burgo burgensibusq; eiusdem continente et proportante licitum non fore aliquo peregrino mercatori quicquam intra vicecomitatum nr̃m de Abirdene emendi aut vendendi sed apud dictum nr̃m burgum ac ibidem eadem vendendi ac eorum pecuniam impendendi cum diuersis aliis libertatibus et priuilegiis in eodem infeofamento expressis de data apud Alich vicesimo septimo februarii Alia carta confecta per Dauidem Regem pro tempore nr̃i regni prefato nr̃o burgo Confirmando õnes libertates eidem concess^{9} per ali-

carriage, and all other privileges, liberties, conveniences and just pertinents belonging to any other free royal burgh within our kingdom, and as the same are at present possessed by the provost, baillies, councillors and community of our said burgh, their tenants and others in their names by reason of their right and disposition, although the chief part of the old infeftments and evidents thereof, as is openly and accurately known to us, was burnt and destroyed by the invasions and ravages of the English at the time of the burning of our said burgh and castle thereof, saving a few preserved infeftments, made and granted to our said burgh by our predecessors, as follows, viz.: An infeftment given and granted by umquhile Alexander, sometime King of our realm,* to the foresaid burgh and burgesses thereof, providing and setting forth that it should not be lawful for any stranger merchant to buy or to sell anything within our sheriffdom of Aberdeen save at our said burgh, where they should have the right to sell the same and to expend their money, with divers other liberties and privileges mentioned in the same infeftment, dated at Alyth the twenty-seventh of February; another charter executed by David, sometime King of our realm,† confirming to our fore-

* See No. III., p. 5. † See No. XII., p. 17.

quos eius antecessores Scotie reges Alia carta concessa et confecta per quondam charissimū nr̃m proauū Iacobum quartum Regem nr̃i regni dignissime memorie Contineñ q̃ nulla corea pelles nec victualia extra vicecomitatum nr̃m de Abirdene transportata fuerint absq̃ solutione magne custume nobis earundem debit̃ de data Apud Edinburgh decimo septimo die mensis Augusti Anno Dñi millesimo quingentesimo vndecimo et eius regni Anno vicesimo quarto Alia carta confecta per quond̃ charissimam nr̃am matrem cum consensu gubernatoris huius regni pro tp̃re Dando concedendoq̃ plenariam p̃tatem ac cōmissionem preposito balliuis consulibus ac cōitati dicti nr̃i burgi Salmonū piscarias super aquis de Die et done Ac terras infra libertatem et cōmuniam dicti nr̃i burgi hereditarie in feudifirma locandi et assedandi specialibus personis in eadem carta specificatis et contentis Alia carta feudifirme facta per prepositum balliuos et cōmunitatem dicti nr̃i burgi quibusdam eiusdem burgensibus de predictis salmonū piscariis super aquis de die et Done Terrasq̃ infra eiusdem libertatem de data Apud Abirdene duodecimo die mensis septembris Anno Dñi millesimo quingentesimo quinquagesimo

said burgh all liberties granted thereto by any of his ancestors Kings of Scotland; another charter granted and executed by our umquhile dearest great-grandfather, James the Fourth, King of our realm,* of most worthy memory, providing that no skins, hides or victuals should be exported out of our sheriffdom of Aberdeen without payment to us of the great custom due thereon, dated at Edinburgh, the seventeenth day of the month of August in the year of our Lord one thousand five hundred and eleven, and of his reign the twenty-fourth; another charter executed by our umquhile dearest mother, with the consent of the Governor for the time being of this kingdom,† giving and granting to the provost, baillies, councillors and community of our said burgh full power and commission to let and set heritably in feufarm the salmon fishings on the waters of Dee and Don, and the lands within the freedom and commonty of our burgh, to particular persons specified and provided in the same charter; another charter of feufarm made by the provost, baillies and community of our said burgh‡ in favour of certain burgesses thereof of the foresaid salmon fishings on the waters of Dee and Don, and lands within the freedom of the same, dated at Aberdeen, the twelfth day of the month of September in the year of our Lord one thousand five hundred and

* See No. XXV., p. 38. † See No. XXX., p. 48.
‡ Engrossed in No. XXXI., p. 56.

tertio Ac alia carta per nos facta preposito balliuis consulibus et cõitati dicti nr̃i burgi de ānuis redditibus firmis feudifirmariis āniversariis altaragiis terris piscariis ac capellaniis que ad capellanos ecclie parochialis de Abirdene antea pertinuerunt Ac etiam q nobis satis et sufficienter constat q prepositi balliui et consules dicti nr̃i burgi continuo omnibus temporibus retroactis vltra hominū memoriam Computum et solutionem in Scaccario nr̃o fecerunt Sicuti adhuc faciunt de sūma ducentarum tredecim librarum sex solidorum et octo denariorum vsualis monete regni nr̃i pro firmis burgalibus eiusdem burgi que recepta et allocata fuit in computis nr̃i Scaccarii per auditores eiusdem ānuatim ōnibus t̃pribus preteritis Respectu ac consideratione cuius nos non minus q^{a} antecessores nr̃i animati et inclinati in presidium ac defensionem priuilegiorū ac libertatum omn̄ burgorum nr̃orū intra regnū nr̃m in genere Sed presertim predicti nr̃i burgi de Abirdene Pro bono fideli et gratuito seruitio non solum nr̃is nobilissimis antecessoribus Verū etiam nobismet ip̄is per prepositum balliuos consules cõitatem dicti nr̃i burgi eorumq predicessores Impenso Cuius multiphariam continuo omnibus temporibus retroactis absq defectione t̃pre aliquo ab eorum fideli debitaq obedientia vti fideles subditos decet bonū sufficiensq experimentum

fifty-three; and another charter made by us* in favour of the provost, baillies, councillors and community of our said burgh, of the annual rents, feu-duties, anniversaries, altarages, lands, fishings, and chaplainries which formerly belonged to the chaplains of the Parish Church of Aberdeen: and also because it is fully and sufficiently known to us that the provosts, baillies and councillors of our said burgh, without intermission in times past beyond the memory of men, rendered (as they still render) account and payment to our Exchequer of the sum of two hundred and thirteen pounds six shillings and eightpence, usual money of our kingdom, which was received and entered in the accounts of our Exchequer by the auditors thereof year by year in all times past: In respect and consideration whereof we, disposed and anxious, no less than our ancestors, to guard and defend the privileges and liberties of all our burghs within our kingdom in general, but especially of our foresaid burgh of Aberdeen, in return for the good, trusty and gratuitous service rendered not only to our most noble ancestors, but also to ourselves, by the provost, baillies, councillors and community of our said burgh and their predecessors, of which we have good and sufficient proof in their trusty and dutiful obedience in all times past, without fail at any time, as becomes faithful

* See No. XXXIII., p. 71.

habemus Ideo Nos eorum non Immemores sed deliberata Intentione vti nos ex principali nr̃o honore ac officio decet eadem recompensare vnde dicti prepositus balliui consules et cõmunitas maiorem occasionem habeant cum ardenti bonaq̃ affectione in eorum fideli seruitio debitaq̃ obedientia Indies magis perseuerare et continuare Ratificauimus approbauimus ac pro nobis et successoribus nr̃is pro perpetuo confirmauimus Tenoreq̃ p̃ntis carte nr̃e Ratificamus approbamus ac pro nobis et successoribus nr̃is pro perpetuo confirmamus prenõiatas Cartas donationes et dispositiones cum omnibus et singulis libertatibus priuilegiis et Immunitatibus in eisdem contentis confect̃ et concess^{o} per dictos quondam Reges Alexandrum Dauidem ac Iacobum nr̃os nobilissimos antecessores recolende memorie Ac per prefatam nr̃am charissimam matrem et nosmet ipsos praedicto burgo ac burgensibus eiusdem Necnon predictam cartam feudifirme per prefatos prepositum balliuos consules et cõmunitatem dicti burgi quibusdam particularibus personis burgensibus eiusdem de prefatis salmonũ piscariis et terris In omnibus et singulis capitibus punctis clausulis articulis ac conditionibus in eisdem contentis Secundum formam et tenorem earundem in omnibus punctis Ac decernimus et declaramus eadem adeo valida efficacia ac sufficientia

subjects: We, therefore, not unmindful of them, but with deliberate intent, as becomes our honour and duty as a prince, to make return for the same, whence the said provost, baillies, councillors and community may have greater occasion to persevere and continue with ardent and great affection in their faithful service and dutiful obedience, more and more from day to day, have ratified, approved, and for ourselves and our successors for ever have confirmed, and by the tenor of our present charter do ratify, approve, and on behalf of ourselves and our successors for ever do confirm, the above-mentioned charters, gifts and dispositions, with all and sundry liberties, privileges and immunities contained therein, executed and granted by the said umquhile Kings, Alexander, David and James, our most noble ancestors of cherished memory, and by our dearest mother aforesaid, and by ourselves to the foresaid burgh and burgesses thereof. As well as the foresaid charter of feufarm by the foresaid provost, baillies, councillors and community of the said burgh to certain individual burgesses thereof, of the foresaid salmon fishings and lands; in all and sundry heads, points, clauses, articles and conditions contained therein, according to the form and tenor thereof in all points. And we decree and declare the same to be as valid, effective and sufficient for the said provost, baillies, councillors and community, and their

fore dictis preposito balliuis consulibus et cõmunitati corumq; successoribus perpetuo ōnibus temporibus affuturis Ac si eadem ad longum in hac p̃nti nr̃a carta inserta et expressꝰ fuerunt non obstañ q eadem hic minime inserta sunt Penes que nos pro nobis et successoribus nr̃is pro perpetuo per p̃ntis carte nr̃e tenorem dispensamus Insuper pro causis superius specificatis aliisq; causis occasionibus et considerationibus nos mouentibus De Nouo Ereximus ac per p̃ntis nr̃e carte tenorem erigimus predictum burgum de Abirdene In unū liberum burgum regalem Ac dedimus concessimus disposuimus et confirmauimus ac tenore p̃ntis carte nr̃e pro nobis nr̃isq; successoribus damus concedimus disponimus ac pro perpetuo confirmamus Prenōiato burgo ac preposito balliuis consulibus et cõmunitati eiusdem corumq; successoribus Omnes et singulas prenōiatas terras cõmunes ad eundem burgum pertinentes cum partibus pendiculis et suis pertinentiis ab antiquo vocat̃ forrestam nr̃am de stockett et siluam eiusdem cum suis pertinentiis intra limites et bondas earundem sicuti eedem nūc occupantur et possidentur ac ānuatim equitari et perambulari solent per dictos prepositum balliuos consules et cõmunitatem Vna cum aquis de Dee et Done respectiue salmonū piscariis super eisdem infra et per ōnes bondas et partes earundem sicuti eadem per

successors for ever in all time to come, as if the same were inserted and set forth at length in this our present charter, notwithstanding that the same are not here inserted, wherewith we, for us and our successors, by the tenor of our present charter do for ever dispense. Moreover, for the causes above set forth and for other causes, reasons and considerations moving us, we have of new erected, and by the tenor of our present charter do erect, the foresaid burgh of Aberdeen into a free royal burgh; and we have given, granted, disponed, and confirmed, and by the tenor of present charter we, for us and our successors, do give, grant, dispone, and for ever confirm to the above-named burgh, and to the provost, baillies, councillors and community thereof and their successors, all and sundry the above-named common lands belonging to the same burgh, with parts, pendicles and their pertinents, called from of old our Forest of Stocket, and the wood thereof, with their pertinents within the limits and bounds of the same; as the same are now occupied and possessed, and are wont to be annually ridden and walked by the said provost, baillies, councillors and community; together with the waters of Dee and Don respectively, the salmon fishings therein, within and through all the bounds and parts thereof, as the same are at present occupied and enjoyed by the foresaid provost,

prefatos prepositum balliuos consules et cõmunitatem eorum tenentes et seruitores suis nõibus pro p̃nti occupantur et gauisi sunt Vna cum cõmunibus molendinis viz̃ duobus illis molendinis infra dictum nr̃m burgum vocat̃ lie Over et neyir mylnis Ac aliis Duobus molendinis extra eundem burgum vocat̃ lie Iustice mylnis cum multuris et sequelis eorundem de omnibus granis crescentibus infra territorium dicti burgi et libertatem eiusdem Ac ad burgenses et inhabitantes dicti burgi pertineñ Vna cum lie castelhiil lie grene medow suburbe vocat̃ fittie portu propugnaculo ac lie peir de Abirdene ancoragiis et deuoriis eisdem pertinentibus Ac etiam minutis custumis lie bell custome tolloneis custumis solitis vsitatis et consuetis Ac cum curiis ponderibus mensuris ōnibusq; aliis libertatibus priuilegiis et Immvnitatibus que ad prefatum burgum antea spectarunt et pertinuerunt Cum p̃tate etiam infra prefatum nr̃m burgum liberas nūdinas ac dies forales lie mercat dayis habendi custodiendi et tenendi Ac vinū ceram lie Wadd pelles corea ac omne aliud genus mercantiarum intra eundem burgum emendi ac vendendi ac cum libertate et potestate plura molendina granorum ac ventosa lie Windmylnis Intra dictum nr̃m burgum libertatem et territorium eiusd̃ edificandi et construendi Talesq; partes predict̃ cõmuniū terrarum prefate

baillies, councillors and community, their tenants and servants in their names; together with the public mills, namely, those two mills within our said burgh called the Upper and Nether Mills, and other two mills outwith the same burgh, called the Justice Mills, with the multures and sequels thereof of all grain growing within the territory of the said burgh and the freedom thereof, and belonging to burgesses and inhabitants of the said burgh; together with the Castlehill, the Green Meadow, the suburb called Fittie, the haven, the blockhouse, and the pier of Aberdeen, the anchorages and duties belonging thereto, and also the petty customs, the bell custom, tolls, customs used, wont and habitual, and with courts, weights, measures, and all other liberties, privileges and immunities, which formerly belonged and pertained to the foresaid burgh; with power also to have, keep and hold within our foresaid burgh a free fair and market days, and to buy and sell wine, wax, wadd,* skins, hides, and every other kind of merchandise within the same burgh; and with liberty and power to build and erect more grain mills and wind mills within our said burgh, the freedom and territory thereof, and to set and let for the use and advantage of said burgh such parts aforesaid of the

* *Wadd*, Woad, used in dyeing.—Jamieson's *Dictionary*.

foreste de stockett que hactenus minus locantur pro utilitate et cõmodo dicti nr̃i burgi assedandi et locandi Ac cum omnibus aliis et singulis libertatibus et priuilegiis quibuscunq; ad eundem spectantibus seu iuste spectare et pertinere valentibus Ac quorum dictus burgus et burgenses eiusdem aliquibus t̃pribus retroactis in possessione extiterunt Cumq; predictis ānuis redditibus feudifirmariis anniversariis altaragiis capellaniis terris piscariis que ad capellanos ecclie parochialis de Abirdene antea pertinuerunt Vna cum etiam tam amplis et magnis priuilegiis libertatibus et Immunitatibus sicuti per nos aut aliquos nr̃os antecessores burgis nr̃is de Edinburt Perth Dundie aut alicui alio burgo intra regnū nr̃m aliquibus t̃pribus preteritis die date p̃ntis carte nr̃e precedentibus donata concessa et disposita sunt TENEÑ ET HABEÑ Totum et integrum burgum predictum terras cõmunes ab antiquo vocat̃ forrestam nr̃am de stocket siluam eiusd̃ cum partibus pendiculis et suis pertineñ aquis salmonū piscariis de Dee et Done ac molendina multuras portus propugnaculum montem castralem suburbus [*sic*] vocat̃ fittie tellonijs custumis lie bell custome ānuis redditibus feudifirmas alteragia capellanias ac alia supra specificata priuilegia libertates et Immunitates quecunq; eidem spectañ et pertineñ de nobis et successoribus nr̃is in liberum burgum regalem hereditarie Imperpetuum Vna cum ōnibus et singulis aliis libertatibus

common lands of the aforesaid Forest of Stocket as heretofore have not been let; and with all and sundry other liberties and privileges whatsoever belonging, or which shall come rightly to belong and pertain to the same, and of which the said burgh and burgesses thereof were in possession in any times past; and with the aforesaid annual rents, feu-duties, anniversaries, altarages, chaplainries, lands, fishings which formerly belonged to the chaplains of the Parish Church of Aberdeen; and together with as full and extensive privileges, liberties and immunities as were given, granted and disponed by us or by any of our ancestors to our burghs of Edinburgh, Perth, Dundee, or any other burgh within our kingdom in any times past prior to the date of our present charter. TO BE HELD AND HAD all and whole the foresaid burgh, the common lands from of old called our Forest of Stocket, the wood thereof, with parts, pendicles and their pertinents, waters, salmon fishings in Dee and Don, and mills, multures, havens, blockhouse, Castlehill, suburb called Fittie, with tolls, customs, bell custom, annual rents, feu-duties, altarages, chaplainries, and other above specified privileges, liberties and immunities whatsoever, belonging and pertaining thereto, of us and our successors in heritage for ever as a free royal burgh; together with all and

priuilegiis cõmoditatibus proficuis asiamentis ac Iustis suis pertineñ quibuscunq; tam non nõiatis q^{u} nõiatis quam nõiatis [*sic*] tam subtus terra quam supra terram procul et prope ad predict burgum terras aquas salmonũ piscarias molendina portus propugnaculum telonias custumas ānuos redditus feudifirmas alteragia capellanias ac alia particulariter et generaliter rẽue prescript cum suis pertineñ spectañ seu Iuste spectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace Sine aliqua reuocatione contradictione Impedimẽto aut obstaculo quocunq; REDDENDO Inde ānuatim nobis et successoribus nr̃is nr̃isq; computorum rotulatoribus nõie nr̃o Predictam sūmam ducentarum tredecim librarum sex solidorum et octo denariorum vsualis monete regni nr̃i In terminis solutionis eiusdem solitis et consuetis tanquam antiquam diuoriam seu ānuũ censum pro firmis burgalibus dicti nr̃i burgi solui solit et consuet ac in scaccario nr̃o per auditores eiusdem ānuatim ōnibus temporibus retroactis recept et allocat vna cum suma viginti solidorum monete antedicte In augmentationem rentalis nr̃i plusq^{u} vnq^{u} predict burgus prepositus balliui consules et cõmunitas pro eodem aliquibus temporibus preteritis persoluere consueuerunt Nomine firmarum burgalium tantum absq; aliqua alia exactione onere questione demanda

sundry other liberties, privileges, conveniences, profits, easements and their just pertinents whatsoever, as well not named as named, as well under the ground as above the ground, far and near, belonging, or which shall in any way in future justly belong, to the foresaid burgh, lands, waters, salmon fishings, mills, havens, blockhouse, tolls, customs, annual rents, feu-duties, altarages, chaplainries and others set forth above in special and in general respectively with their pertinents; freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, challenge, hindrance or obstacle whatsoever. PAYING therefor yearly to us and to our successors, and to our comptrollers in our name, the foresaid sum of two hundred and thirteen pounds six shillings and eightpence usual money of our kingdom, at the terms of payment used and wont in the same, as the ancient duty or annual maill for the burghal rents of our said burgh used and wont to be paid, and received and allocated in our Exchequer by the auditors thereof annually in all times past; together with the sum of twenty shillings money aforesaid in augmentation of our rental more than the foresaid burgh, provost, baillies, councillors and community were ever accustomed to pay for the same in any times past, in name of burghal rents only, without any other exaction, burden, question, demand or secular service, which could in any way be rightly exacted or required

seu seruitio seculari que de predicto burgo per quoscunq; Iuste exigi poterunt quomodolibet vel requiri Insuper Promittimus fideliter in verbo principis hanc nr̃am cartam et infeofamentum in proximo nr̃o parliamēto Ratificare et approbare Ac ad causandam actum nr̃i parliamenti super eadem extendi Inibi contineñ etiam Nouam dispositionem cum auisamento trium regni nr̃i statuū de dictis cōmunibus terris ab antiquo vocat̃ nr̃a foresta de Stockett siluamq; eiusd̃ salmonū piscariis infra dictas aquas de Dee et Done aliisq; supra expressis Prefatis preposito balliuis consulibus et cōmunitati burgi nr̃i de Abirdene eorumq; successoribus pro solutione dicte ānue deuorie pro eiusdem firmis burgalibus in moneta supra specificat̃ In Cuius Rei Testimoniū huic p̃nti carte nr̃e confirmationis et noue donationis magnū sigillum nr̃m apponi precepimus Testibus predilectis nr̃is consanguineis et consiliariis Joanne marchione de hamiltoun comite Arraine d̃no Aveñ etc Ioanne comite de Montrois' d̃no grahame etc Cancellario nr̃o Georgio comite mariscalli d̃no keith etc regni nr̃i mariscallo Dilectis nr̃is familiaribus consiliariis d̃nis Iacobo Elphinstoun de barntoun nr̃o secretario Ricardo Cokburne Iuniore de Clerkingtoun nr̃i secreti sigilli custode militibus Mag̃ro Ioanne Skene nr̃orum rotulorum reg̃ri ac consilii clerico Dño Ioanne

from the foresaid burgh by any whatsoever. Moreover, we faithfully promise, on the word of a prince, to ratify and approve this our charter and infeftment in our next parliament, and to cause an act of our parliament * therein to be extended thereupon, containing also the new disposition, with the advice of the three estates of our kingdom, of the aforesaid common lands from of old called our Forest of Stocket and the wood thereof, the salmon fishings in the said waters of Dee and Don, and others above set forth, to the foresaid provost, baillies, councillors and community of our burgh of Aberdeen and their successors, for payment of the said annual duty for the burghal rents thereof in money above specified. In witness whereof we have ordered our great seal to be appended to this our present charter of confirmation and new grant. Witnesses: Our well-beloved cousins and councillors, John, Marquis of Hamilton, Earl of Arran, Lord Avon, &c.; John, Earl of Montrose, Lord Graham, &c., our Chancellor; George, Earl Marischal, Lord Keith, &c., Marshal of our kingdom; our beloved familiar councillors, Sir James Elphinston of Barnton, our Secretary; Sir Richard Cockburn, younger of Clerkington, Keeper of our Privy Seal, Knights; Master John Skene, Clerk

* See Act of Parliament of 11th July, 1606, *postea*.

Cokburne de Ormestoun milite nře Iusticiarie clerico et Maģro Willelmo Scott de Elie nře Cancellarie directore Apud falkland decimo quarto die mensis Augusti Anno đni millesimo sexcentesimo primo Ac anno Regni nři Tricesimo quinto

XLIII.

JACOBUS Dei gratia Rex Magne Britannie Francie et Hibernie fideiq, defensor OMNIBUS Probis hominibus totius terre sue clericis et laicis Salutem SCIATIS Quia in Parliamento nřo tento Apud Burgum nřm de Edinburgh Vigesimo Octauo die mensis Junii proxime elapsi anno domini millesimo sexcentesimo decimo septimo instante Nos et Parliamenti nři status Intelligentes quod nobilissimi nři predicessores digne memorie Burgum nřm de Abirdene vnum vetustissimorum et celeberrimorum Regni nři Scotie burgorum erexerunt et fundarunt ac amplis priuilegiis libertatibus et immunitatibus donarunt TENEŇ de nřis

of our Rolls, Register and Council; Sir John Cockburn de Ormeston, Knight, Clerk of our Justiciary; and Master William Scott of Elie, Director of our Chancery. At Falkland, the fourteenth day of the month of August in the year of our Lord one thousand six hundred and one, and of our reign the thirty-fifth.

XLIII.

King James VI. confirms sundry charters granted to the burgh by himself and by his predecessors. 17*th July*, 1617.

JAMES, by the grace of God King of Great Britain, France, and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE that, in our Parliament held at our burgh of Edinburgh on the twenty-eighth day of the month of June last,* in the current year of our Lord one thousand six hundred and seventeen, We and the estates of our Parliament, considering that our most noble predecessors of worthy memory erected and founded our burgh of Aberdeen, one of the most ancient and most renowned burghs of our kingdom of Scotland, and endowed it with full privileges, liberties and immunities, TO BE HELD of our predecessors for annual

* See Act of Parliament of 28th June, 1617, *postea*.

predicessoribus pro annua solutione summe ducentarum tredecim librarum sex solidorum et octo denariorum burgalis firme in infeofamentis et evidentiis dicto burgo desuper confectis specificate et contente Et quamuis in quibusdam dictorum antiquorum infeofamentorum dicta firma burgalis exprimitur Sterlingorum moneta esse Nihilominus Prepositi Balliui Consules nec Communitas dicti nr̃i burgi de Abirdene ac ipsorum predicessores nunquam aliter assueti aut in usu fuerunt soluere nobis vel nr̃is computorum rotulatoribus sed sūmam ducentarum tredecim librarum sex solidorum et octo denariorum currentis et vsualis monete regni nr̃i Scotie solummodo Cuius summe computum factum fuit in nr̃o scaccario annuatim vltra hominum memoriam Et si dictus noster burgus vrgeretur et ġravaretur in añua solutione dicte firme burgalis in moneta Sterlingorum hoc casu idem ad extremam ruinam tenderet Respectu quod omnes cōmunes terre et redditus ad eundem nr̃m burgum pertinen̄ dictam firmam burgalem in moneta Sterlingorum persoluere minime sufficientes sunt AC QUOD Nos ex respectu per nr̃m cartam sub nr̃o magno sigillo de data apud Faulkland decimo quarto die mensis Augusti anno d̄ni millesimo sexcentisimo primo dedimus concessimus et disposuimus Dicto nr̃o burgo Omnes et singulas terras

payment of the sum of two hundred and thirteen pounds six shillings and eightpence of burgh rent, set forth and contained in the infeftments and evidents thereupon executed in favour of the said burgh; and although in certain of the said ancient infeftments the said burgh rent is stated to be sterling money,* nevertheless the provosts, baillies, councillors and community of our said burgh of Aberdeen and their predecessors have never been accustomed or in use to pay to us or our comptrollers saving only the sum of two hundred and thirteen pounds six shillings and eightpence current and usual money of our kingdom of Scotland, the account of which sum has been rendered annually to our treasury beyond the memory of man; and if our said burgh were oppressed and burdened with the annual payment of the said burgh rent in sterling money, in this case the same would thereby be brought to utter ruin, inasmuch as all the common lands and the rents pertaining to our said burgh are wholly insufficient to discharge the said burgh rent in sterling money; AND THAT we, inasmuch as by our charter under our great seal, dated at Falkland, the fourteenth day of the month of August in the year of our Lord one thousand six hundred and one,† gave, granted and disponed to our said burgh all and sundry the lands, mills, houses,

* See No. VIII., p. 12. † No. XLII., p. 100.

molendina domos piscationes aquas et ipsum burgum Omniaq; alia priuilegia libertates Iīmunitates et alias cōmoditates quascunq; que quouis tempore ad dictum nr̄m burgum spectarunt et pertinuerunt Teneñ de nobis et nr̄is successoribus in libero burgagio Pro annua solutione dicte sūme ducentarum tredecim librarum sex solidorum et octo denariorum vsualis monete Regni nr̄i Scotie et Viginti solidorum eiusdem monete in augmentationem nr̄i rentalis Prout in dicto nr̄o infeofamento de data predicta Contineñ nr̄m ratificationem omnium aliorum priorum iurium et evidentiarum dicto burgo nr̄o concess^{o} latius continetur; Quamquidem cartam postea nos in nr̄o parliamento Tento Apud Perth Nono die mensis Julii Anno d̄ni millesimo sexcentesimo sexto Ratificauimus ET NOS VERO et parliamenti nr̄i status volentes quod dicta nr̄a donatio et erectio concess^{o} dict̄ nr̄o burgo de Abirdene Ita formaliter expedita sit iuxta leges nr̄as vt eadem efficax sit preposito balliuis consulibus et cōmunitati eiusdem burgi ac sufficiens jus ipsis eorumq; successoribus omnibus temporibus affuturis pro solutione dicte sūme et firme burgalis ducentarum tredecim librarum sex solidorum et octo denariorum vsualis monete regni nr̄i scotie et viginti solidorum eiusdem monete pro augmentatione solummodo Igitur NOS Virtute

fishings, waters, and the burgh itself, and all other privileges, liberties, immunities, and other conveniences whatsoever, which at any time belonged and pertained to our said burgh, to be held of us and our successors in free burgage for annual payment of the said sum of two hundred and thirteen pounds six shillings and eightpence usual money of our kingdom of Scotland, and twenty shillings of the same money in augmentation of our rent, as is set forth at greater length in our infeftment of date aforesaid, containing our ratification of all other former rights and evidents granted to our said burgh; which charter we afterwards ratified in our Parliament held at Perth on the ninth day of the month of July in the year of our Lord one thousand six hundred and six. AND WE IN TRUTH and the estates of our Parliament, wishing that our said gift and erection granted to our said burgh of Aberdeen be so expede in due form, according to our laws, that the same may be effectual for the provost, baillies, councillors and community of the said burgh, and a sufficient right for them and their successors in all time to come, for payment of the said sum and burgh rent of two hundred and thirteen pounds six shillings and eightpence usual money of our kingdom of Scotland, and twenty shillings of the same money for augmentation only. WE therefore, in virtue of our said Act of Parliament, with the advice and consent of

dicti nr̃i acti parliamenti cum auisamento et consensu omnium eiusdem parliamenti statuum pro nobis et successoribus nr̃is Ex certa scientia dissoluimus A Corona nr̃a et eiusdem annexationibus dictum nr̃m burgum de Abirdene Cum omnibus et singulis ipsorum terris forrestis siluis aquis salmonum piscationibus super aquas de Dee et Done Molendinis astrictis multuris castris pratis lacubus rupibus viridariis lie Linkis portubus lie heavins et portis propugnaculis aggeribus lie blok-hous et bulwarkis Anchoragiis et lie bell customes Minutis custumis et vectigalibus lie toll et small customes ponderibus mensuris lie trone wechtis and measouris Omnibusq; aliis proficuis casualitatibus et deuoriis quibuscunq; que quouis tempore ad dictum nr̃m burgum de Abirdene perprius spectabant et pertinebant Vna cum predicta firma burgali et annua deuoria ducentarum Tredecim librarum sex solidorum et octo denariorum contenr̃ in quibuscunq; infeofamentis seu euidentiis dicr̃ nr̃o burgo concessꝰ Cuiuscunq; designationis dicr̃ firme burgales sint vel monete Sterlingorum seu vsualis monete regni nr̃i Scotie Ad hunc effectum Vt nos de Novo dare concedere et disponere poterimus Dictis Preposito Balliuis Consulibus et Communitati dicti burgi de Abirdene ac ipsorum successoribus Dictum burgum cum omnibus et singulis suis terris forrestis siluis aquis salmonum piscationibus super Die et Done Molen-

all the estates of the said Parliament, for us and our successors, of certain knowledge have dissevered from our Crown and the annexations thereof, our said burgh of Aberdeen, with all and sundry their lands, forests, woods, waters, salmon fishings on the waters of Dee and Don, mills, astrict multures, castles, meadows, lochs, hills, links, havens and ports, blockhouses and bulwarks, anchorages and bell customs, petty customs and tolls, tron weights and measures, and all other profits, casualties and duties whatsoever, which formerly at any time belonged and pertained to our said burgh of Aberdeen; together with the aforesaid burgh rent and annual duty of two hundred and thirteen pounds six shillings and eightpence contained in any infeftments or evidents whatsoever granted to our said burgh (of whatever designation the said burgh rents may be—sterling money or the usual money of our own kingdom of Scotland): To this effect, that we may of new give, grant and dispone to the said provost, baillies, councillors and community of the said burgh of Aberdeen, and their successors, the said burgh with all and sundry their lands, forests, woods, waters, salmon fishings upon Dee and Don, mills, astrict multures, castles, lochs, meadows, links, blockhouses, bul-

dinis astrictis multuris castris lacubus pratis viridariis lie linkes propugnaculis aggeribus lie blokhouss bulwarkis anchoragiis minutis custumis et lie bell custumis ponderibus lie trone wechtis et measouris aliisq; proficuis casualitatibus et diuoriis quibuscunq; que quouis tempore preterito ad dictum nr̃m burgum de Abirdene spectabant seu pertinebant Teneñ de nobis et nr̃is successoribus in libero burgagio pro annua solutione dicte sūme ducentarum tredecim librarum sex solidorum et octo denariorum et viginti solidorum pro dicta augmentatione Totaliter existeñ vsualis monete Regni nr̃i Scotie solummodo Cum tam amplis priuilegiis Immunitatibus et libertatibus quam alius quivis burgus intra dtum regnum nr̃m Scotie habet Ac ordinamus nouam donationem prefatis Preposito Balliuis Consulibus et cōmunitati dicti burgi sub nr̃o magno sigillo post dictam nr̃am dissolutionem desuper conficiendam Quamquidem cartam ita expediendam Nos cum auisamento predicto per dictum nr̃i parliamenti actum ac si eadem tunc perfecta fuisset Ratificauimus approbauimus et confirmauimus In omnibus suis capitibus articulis et clausulis Ac voluimus et declarauimus dictam nr̃am cartam dictam nr̃am dissolutionem subsequuturam esse validum et perpetuum jus predict̃ Preposito Balliuis et Cōmunitati dicti burgi de Abirdene p̃ntibus et futuris pro ipsorum possessione gauisione et fruitione

warks, anchorages, petty customs and bell customs, tron weights and measures, and other profits, casualties and duties whatsoever, which at any time past belonged or pertained to our said burgh of Aberdeen; to be held of us and our successors in free burgage for the annual payment of the said sum of two hundred and thirteen pounds six shillings and eightpence, and twenty shillings for the said augmentation, the whole in the usual current money of our kingdom of Scotland only; with as full privileges, immunities and liberties as are possessed by any other burgh within our said kingdom of Scotland. And we order a new gift to the foresaid provost, baillies, councillors and community to be executed thereupon, under our great seal, after our said dissolution. Which charter so to be expede we, with the advice aforesaid, have, by the said Act of our Parliament, ratified, approved and confirmed in all its heads, articles and clauses, as if the same had been then completed. And we have willed and declared our said charter to follow on our said dissolution to be a valid and perpetual right for the foresaid provost, baillies and community of our said burgh of Aberdeen, present and to come, for their possession, use and enjoy-

dicti burgi nr̃i ac omnium et singularum terrarum forrestarum molendinorum siluarū salmonum piscationum custumarum casualitatum lie Trone wechtis priuilegiorum libertatum im̃unitatum ac aliarum deuoriarum quarumq; in eadem carta conten̄ pro solutione dicte firme burgalis ducentarum Tredecim librarum sex solidorum et octo denariorum vsualis monete regni nr̃i Scotie et viginti solidorum eiusdem monete in augmentationem dicti nr̃i rentalis solum̄odo et non amplius Ac si dicta nr̃a carta hactenus expedita et in dicto nr̃o acto specialiter expressa fuisset ac eo non obstante Penes q nos pro nobis et successoribus nr̃is cum auisamento et consensu predicto in perpetuum dispensauimus Prout dictum parliamenti actum latius proportat ET NOS MULTUM SOLICITI de vigente et florente statu dicti nr̃i burgi de Abirdene et Reipublice eiusdem et exinde recordantes plurima bona officia et seruitia nobis per prepositum balliuos consules et cōmunitatem eiusdem tanquam nr̃os obsequiosos et fidos subditos omnibus opportunitatibus prestita et impensa Quapropter nos nunc post omnes nr̃as reuocationes ex certa scientia et proprio motu Cum speciali auisamento et consensu predilecti et fidelis nr̃i consanguinei Joannis Comitis de Mar Domini Erskyn̄ Principalis Thesaurarii Computorum rotulatoris et collectoris

ment of our said burgh, and of all and sundry lands, forests, mills, woods, salmon fishings, customs, casualties, tron weights, privileges, liberties, immunities and other duties whatsoever contained in the said charter, in return for the payment of the said burgh rent of two hundred and thirteen pounds six shillings and eightpence usual money of our kingdom of Scotland, and twenty shillings of the same money in augmentation of our said rent only, and no more; as if our said charter had been already expede and inserted in detail in our said act, and notwithstanding [the non-insertion], wherewith we, for ourselves and our successors, with advice and consent aforesaid, have for ever dispensed, as the said Act of Parliament sets forth at greater length. AND BEING GREATLY SOLICITOUS for the wellbeing and prosperity of our burgh of Aberdeen and the common good thereof, and furthermore, calling to mind the very many good offices and services discharged and rendered to us on all occasions by the provost, baillies, councillors and community as our dutiful and trusty subjects; now, therefore, after all our revocations, of certain knowledge and of our own accord, with the special advice and consent of our well-beloved and trusty cousin, John, Earl of Mar, Lord Erskine, High Treasurer, Comptroller and

gñalis huius Regni nr̃i Scotie et cum consensu familiaris nr̃i consiliarii Domini Gedionis Murray de Eliebank militis thesaurarii computorum rotulatoris et collectoris gñalis deputati Nec non cum consensu et assensu Reliquorum dñorum secreti concilii nr̃orum commissionariorum eiusdem Regni nr̃i Scotie RATIFICAUIMUS approbauimus ac pro nobis et successoribus nr̃is pro perpetuo confirmauimus tenoreq; p̃ntium cum auisamento consensu et assensu predicto Ratificamus approbamus ac pro nobis nr̃isq; successoribus pro perpetuo confirmamus Omnes et quascunq; cartas infeofamenta precepta sasinarū instrumenta confirmationes acta sententias decreta donationes exemptiones jura titulos securitates literas scripta euidentias concessiones libertates cōmoditates im̄unitates et priuilegia in eisdem conten̄ fact̄ et concess̄ seu confirmat̄ per nos nr̃osq; nobilissimos predicessores Reges et Reginas huius Regni nr̃i vel per eorum Gubernatores Regentes et Dños sessionis pro tempore Predicto nr̃o burgo de Abirdene Preposito Aldermanis Balliuis Decanis gilde Thesaurariis Consulibus Burgensibus et Com̄unitati eiusdem ac ecclesiis ministris et hospitalibus dicti burgi eorumq; successoribus ex quacunq; forma seu formis contenta seu contentis data seu datis sint rex^ue Et presertim minime gñalitatem antedict̄ preiudican̄ particulares

Collector General for this our kingdom of Scotland, and with the consent of our familiar councillor, Sir Gideon Murray of Eliebank, Knight, Depute Treasurer, Comptroller and Collector General, as well as with the consent and assent of the remanent lords of the privy council, our commissioners for our same kingdom of Scotland, WE HAVE RATIFIED, approved, and for us and our successors for ever confirmed, and by the tenor of these presents, with the advice, consent and assent aforesaid, do ratify, approve, and for us and our successors for ever confirm, all and each the charters, infeftments, precepts, instruments of sasines, confirmations, acts, sentences, decreets, gifts, exemptions, rights, titles, securities, letters, writs, evidents, grants, liberties, conveniences, immunities and privileges contained therein, made and granted or confirmed by us and by our most noble predecessors the kings and queens of this our kingdom, or by their governors, regents, and lords of session for the time being, to our foresaid burgh of Aberdeen, the provost, aldermen, baillies, deans of guild, treasurers, councillors, burgesses and community thereof, and to the churches, ministers and hospitals of the said burgh, and their successors, of whatsoever form or forms, content or contents, date or dates, they be respectively; and especially, in no way prejudicing the generality aforesaid, the particular charters, infeftments,

cartas infeofamenta confirmationes decreta donationes exemptiones acta scripta euidentias aliaq̃ subtus specificata concessiones libertates ĩmunitates et priuilegia rexiue in eisdem contenť viž CARTAM per quondam Alexandrum Regni nr̃i Regem pro tempore datam et concessam predicto nr̃o burgo burgensibusq̃ eiusdem continentē et proportantē licitum non fore aliquo peregrino mercatori quicquam intra vicecomitatum nr̃m de Abirdene emendi aut vendendi sed apud dictum nr̃m burgum Ac ibidem eadem vendendi ac eorum pecuniam impendendi cum priuilegio et libertate Gildrie vulgo ane Gildrie burgensibus et mercatoribus dicti nr̃i burgi diversisq̃ aliis libertatibus et priuilegiis in eadem carta expressis de data Apud Alich vicesimo septimo Februarii ALIAM CARTAM Confectam per Dauidem Regem pro tempore nr̃i Regni prefato nr̃o burgo confirmando omnes libertates eidem concess̃ per aliquos nr̃os antecessores Scotie Reges ALIAM CARTAM concessam et confectam per quondam charissimum nr̃m proavum Jacobum quartum Regem nr̃i Regni dignissime memorie continen̄ q̃ nulla corea pelles nec victualia extra vicecomitatum nr̃m de Abirdene transportata fuerint absq̃ solutione magne custume nobis earundem debite de data Apud Edinburgh decimo septimo die mensis Augusti anno dn̄i millesimo

confirmations, decreets, gifts, exemptions, acts, writs, evidents and others, set forth below, the grants, liberties, immunities and privileges respectively contained therein, viz.: A CHARTER given and granted by umquhile Alexander, sometime king of our realm,* to our foresaid burgh and the burgesses thereof, providing and purporting that it should not be lawful for any stranger merchant to buy or to sell anything within our sheriffdom of Aberdeen, save at our said burgh, where they should have the right to sell the same and to expend their money, with privilege and liberty of a Guildry to the burgesses and merchants of our said burgh, and with divers other liberties and privileges set forth in the same charter, dated at Alyth the twenty-seventh of February; ANOTHER CHARTER, executed by David, sometime king of our realm,† confirming to our foresaid burgh all the liberties granted thereto by any of our ancestors kings of Scotland; ANOTHER CHARTER, granted and executed by our umquhile dearest great-grandfather James the Fourth, king of our realm,‡ of most worthy memory, providing that no skins, hides or victuals should be exported outwith our sheriffdom of Aberdeen without payment to us of the great custom due thereon, dated at Edinburgh the seventeenth day of the month of August in the year of our Lord one thousand five hundred and

* See No. III., p. 5. † See No. XII., p. 17. ‡ See No. XXIV., p. 36.

quingentesimo vndecimo et eius Regni anno vicesimo quarto ALIAM CARTAM confectam per quond̄ charissimam nr̄am matrem cum consensu gubernatoris huius regni nr̄i pro tempore Dando et concedendo plenariam p̄tatem et commissionem Preposito Balliuis consulibus et com̄unitati dicti burgi nr̄i de Abirdene Salmonum piscarias super aquas de dee et done Ac terras infra libertatem et com̄uniam d̄ti nr̄i burgi hereditarie in feudifirma locandi et assedandi specialibus personis in eadem carta specificatis et contentis ALIAM CARTAM feudifirme factam per Prepositum Balliuos Consules et com̄unitatem dicti nr̄i burgi quibusdam eiusdem burgensibus De predictis salmonum piscariis super aquis de Dee et Done Terrisq̄ infra eiusdem libertatem de data apud Abirdene duodecimo die mensis septembris anno dn̄i millesimo quingentesimo quinquagesimo tertio ALIAM CARTAM factam et concessam per quondam Robertum secundum pro tempore nr̄i Regni Scotie Regem Burgensibus et com̄unitati d̄ti nr̄i burgi de Abirdene eorumq̄ successoribus de totis et integris terris tenementi de Rubislaw cum pertinentiis iacen̄ juxta burgum nr̄m de Abirdene Tenen̄ in feodo hereditate et libero burgagio de data apud Kindrocht in Mar vigesimo

eleven, and of his reign the twenty-fourth; ANOTHER CHARTER, executed by our umquhile dearest mother,* with the consent of the Governor for the time being of this kingdom, giving and granting full power and commission to the provost, baillies, councillors and community of our said burgh of Aberdeen to let and set heritably in feufarm the salmon fishings on the waters of Dee and Don, and the lands within the freedom and commonty of our said burgh, to particular persons specified and provided in the same charter; ANOTHER CHARTER of feufarm made by the provost, baillies, councillors and community of our said burgh,† in favour of certain burgesses thereof, of the foresaid salmon fishings on the waters of Dee and Don, and the lands within the liberty of the same, dated at Aberdeen the twelfth day of the month of September in the year of our Lord one thousand five hundred and fifty-three; ANOTHER CHARTER made and granted by umquhile Robert the Second, sometime king of our realm of Scotland,‡ to the burgesses and community of our said burgh of Aberdeen, and their successors, of all and whole the lands of the tenement of Rubislaw, with the pertinents lying close to our burgh of Aberdeen, to be held in fee, heritage and free burgage, dated at Kindrocht, in Mar, the twentieth day of the month of August, and the ninth year of

* See No. XXX., p. 48. † Engrossed in No. XXXI., p. 56. ‡ See No. XIV., p. 19.

die mensis Augusti Et Regni sui Anno Nono ALIAM CARTAM concessam per quondam Jacobum tertium pro tempore nr̃i Regni scotie Regem dignissime memorie dictis Preposito Balliuis consulibus et co̅munitate prefati burgi nr̃i de Abirdene eorum̧ successoribus De totis et integris terris de Cruiffis cum pertinentiis jacen̄ infra vicecomitatum nr̃m de Abirdene de data Apud Sterling vigesimo sexto die mensis Octobris anno dn̄i millesimo Quadringentesimo sexagesimo quinto Et Regni sui sexto DONATIONEM et Priuilegium Concess̄ per quondam Jacobum pro tp̃re dicti nr̃i Regni Regem dignissime memorie Sub suo priuato sigillo Burgensibus et fratribus gilde dicti nr̃i burgi de Abirdene pro arrestatione apprehensione et punitione quorumcun̄ forrestellatorum infra vicecomitatum nr̃m de Abirdene De data Apud Perth Quarto die mensis Februarii et anno Regni sui vicesimo quinto DECRETUM Arbitrale inter burgenses gilde dicti nr̃i burgi de Abirdene et artifices eiusdem concernen̄ eorum libertates ac pro compositione omnium contraversiarum inter eosdem datum et pronunciatum per

his reign; ANOTHER CHARTER granted by umquhile James the Third, sometime king of our realm of Scotland,* of most worthy memory, to the said provost, baillies, councillors and community of our foresaid burgh of Aberdeen, and their successors, of all and whole the lands of Cruives, with the pertinents, lying within our sheriffdom of Aberdeen, dated at Stirling the twenty-sixth day of the month of October in the year of our Lord one thousand four hundred and sixty-five, and of his reign the sixth; A GIFT and privilege granted by umquhile James, sometime king of our said realm,† of most worthy memory, under his privy seal, to the burgesses and guild brethren of our said burgh of Aberdeen, for the arrest, apprehension and punishment of any forestallers whatever within our sheriffdom of Aberdeen, dated at Perth the fourth day of the month of February, and in the twenty-fifth year of his reign; A DECREET Arbitral between the guild burgesses of our said burgh of Aberdeen and the craftsmen thereof‡ concerning their liberties and for the settlement of all disputes between the same, given and pronounced by

* See No. XXI., p. 30.

† This Gift is not extant. The only King James found executing charters at Perth on February 4th in the twenty-fifth year of his reign, is the first of that name. See *Registrum Magni Sigilli*, vol. ii., p. 41; Feb. 4, $143\frac{0}{1}$. The *Registrum Secreti Sigilli* extends no further back than the reign of James IV.

‡ See the Decreet Arbitral *postea*.

Alexandrum Cullen Dauidem Meinzeis duos balliuorum ḋti burgi nr̃i pro t̃re et per Alexandrum Forbes com̄issionarios pro parte Prepositi Balliuorum et fratrum Gilde eiusdem electos ex parte vna ac etiam per Georgium Elphingstoun deaconum conventorem lie deacon convenar Joannem duncane vestiarium et Alexandrum Ronaldsoun pistorem commissionarios pro artificibus dicti burgi nr̃i electos ex parte altera Nec non per mag̃rum Alexandrum Cheyne Rectorem de Snaw et commissionarium de Abirdene lie odisman et oṽisman equaliter per dictos com̄issionarios nominatum de data Apud Abirdene septimo die mensis Julii anno dn̄i millesimo quingentesimo octuagesimo septimo Vna cum literis procuratorialibus et submissione super quibus dictum decretum latum fuit inserta et reg̃rata in libris com̄issariatus de Abirdene septimo die mensis Julii anno immediate supra dicto LITERAS exemptionis per nos sub nr̃o secreto sigillo datas et concessas Preposito Balliuis consulibus com̄unitati Burgensibus artificibus et inhabitantibus dicti nr̃i burgi p̃ntibus et futuris ab omnibus equitationibus conventionibus exercitibus et guerris infra ḋtum Regnum nr̃m Scotie vulgo lie Raides conventiones Oists assembleis armeis gatherings Wapinshawings or waris demptis vbi nos

Alexander Cullen, David Menzies, two baillies of our said burgh for the time being, and by Alexander Forbes, commissioners for the provost, baillies and guild brothers thereof, chosen on the one part, and also by George Elphinston, deacon convener, John Duncan, tailor, and Alexander Ronaldson, baker, commissioners chosen for the craftsmen of the said burgh on the other part, as well as by master Alexander Cheyne, Rector of Snaw and Commissary of Aberdeen, oddman and oversman, named equally by the said commissioners, dated at Aberdeen the seventh day of the month of July in the year of our Lord one thousand five hundred and eighty-seven, together with the procuratorial letters and submission upon which the said decreet was based, inserted and registered in the commissary books of Aberdeen on the seventh day of the month of July in the year above written; LETTERS of exemption given and granted by us under our privy seal * to the provost, baillies, councillors, community, burgesses, craftsmen and inhabitants of our said burgh, present and to come, exempting them from all raids, conventions, oists, assemblies, armies, gatherings, wapinshaws or wars, except

* See No. XXXVII., p. 92.

et successores nr̃i vel in propria persona vel per nostros locum tenentes cum reliquis nr̃is subditis d̃ti nr̃i Regni pro defensione eiusdem contra exteras nationes sumus vel q̃ nos pro repressione rebellium et traditorum contra nr̃am personam infra d̃tum Regnum nr̃m eamus Ac etiam eximendo ipsos ab omni comparendo vel eundo super aliquibus assisis vel inquisitionibus in quibuscunq̃ criminibus et actionibus Exceptis criminib⁹ infra d̃tum nr̃m burgum libertatem eiusdem et duo miliaria circa eundem commiss⁹ de data Apud Dalkeith decimo sexto die mensis Maii Anno Dñi millesimo quingentesīo nonagesimo secundo et Regni nr̃i anno vigesimo quinto Cum ł̃is publicationis desuper concess⁹ Vnacum acto de libris nr̃i Justiciarii extracto virtute cuius dicte litere nr̃e exemptionis in Curia Justiciaria infra pretorium Edinburgi per quondam Dominum Willielmum hart de Prestoun militem nr̃m Justiciarium pro tempore secundo die mensis Decembris anno dñi millesimo sexcentesimo decimo quinto Tenta producte et admisse fuerunt PRIVILEGIŪ licentiam et libertatem per nos sub d̃to nr̃o secreto sigillo concessam Preposito Balliuis Consulibus et cōmunitati dicti nr̃i burgi p̃ntibus et futuris eorumq̃ successoribus Quasdam vastas

when we and our successors, either in proper person or by our lieutenants, are present with the rest of our subjects of our said kingdom for the defence thereof against foreign nations, or when we pass within our said kingdom for the repression of rebels and traitors against our person; and also exempting them from all compearing or passing upon any assizes or inquests on any crimes or actions whatever, except crimes committed within our said burgh, the freedom thereof and two miles around the same: dated at Dalkeith the sixteenth day of the month of May in the year of our Lord one thousand five hundred and ninety-two, and of our reign the twenty-fifth, with the letters of publication granted thereupon; together with an act extracted from the books of our justiciary in virtue whereof our said letters of exemption were produced and admitted in the Justice Court held within the courthouse at Edinburgh, by the late Sir William Hart of Preston, Knight, our justiciar for the time being, on the second day of the month of December in the year of our Lord one thousand six hundred and fifteen; A PRIVILEGE, licence and liberty * granted by us under our said privy seal to the provost, baillies, councillors and community of our said burgh, present and to come, and their

* See No. XXXIX., p. 95.

partes et loca dicti nr̃i burgi vicinis eiusdem vel cuicunq; aut quibuscunq; persone aut personis in feudifirma rentali assedatione vel simplici alienatione assedandi et disponendi contineñ etiam ratificationem omnium priorum dispositionum licentiarum et priuilegiorum per nos vel predicessores nr̃os ipsis concess^{o} de data Apud Halieruidhous decimo septimo die mensis Martii anno dn̄i millesimo quingentesimo nonagesimo quarto CARTAM factam datam et concessam per nos Preposito Balliuis consulibus et co$\bar{m}$unitate dicti nr̃i burgi de annuis redditibus firmis feudifirmis anniuersariis altaragiis terris piscariis et capellaniis que olim ad capellanos Ecclie parochialis Sancti Nicolai de Abirdene spectabant cum omnibus tenementis croftis mansionibus lie dail siluir et aniversariis quibuscunq; que antea pertinuerunt ad quascunq; capellanias prebendaria et alteragia in quacunq; ecclesia capella vel collegio infra libertatem dicti nr̃i burgi de Abirdene per quascunq; personas aut patronos fundat̃ vbicunq; jacent infra d̃tum Regnum nr̃m Scotie vel quocunq; tempore preterito levari solebant de data Apud Striuiling vigesimo sexto die mensis Octobris anno dn̄i millesimo quingentesimo octuagesimo tertio Quequidem carta

successors, empowering them to set and dispone in feu, rental, tack, or simple alienation, certain waste parts and lands of our said burgh to the neighbours thereof, or to any person or persons whatsoever; containing also a ratification of all former dispositions, licences and privileges granted to the same by us or by our predecessors; dated at Holyrood the seventeenth day of the month of March in the year of our Lord one thousand five hundred and ninety-four; A CHARTER made, given and granted by us * to the provost, baillies, councillors and community of our said burgh of the annual rents, rents, feu-duties, anniversaries, altarages, lands, fishings and chaplainries, which of old belonged to the chaplains of the Parish Church of Saint Nicolas of Aberdeen, with all tenements, crofts, dwelling-houses, daill silver and anniversaries whatsoever, which formerly pertained to any chaplainries, prebends and altarages whatsoever in any church, chapel or college whatsoever within the freedom of our said burgh of Aberdeen, by whatsoever person or patrons founded, wheresoever they are situated within our said kingdom of Scotland, or whensoever in time past they used to be uplifted; dated at Stirling the twenty-sixth day of the month of October in the year of our Lord one thousand five hundred and eighty-three; which charter was afterwards

* See No. XXXIII., p. 71.

postea in decimo tertio nr̃o parliamento tento apud Edinburgh vigesimo primo die mensis Julii Anno dñi millesimo quingentesimo nonagesimo tertio Ratificata fuit AC ETIAM CARTA per nos factam datam et concessam Preposito Balliuis Consulibus et cōmunitati dicti nr̃i burgi de Abirdene corumq̃ successoribus Non solum Ratificando et approbando sex particulares cartas inibi expressas Verum etiam de nouo dando concedendo et disponendo dictum burgum cum terris molendinis piscariis custumis libertatibus et priuilegiis rex^iue inibi specificatis de data Apud Faulkland decimo quarto die mensis Augusti anno dñi millesimo sexcentesimo primo Et Regni nr̃i anno Tricesimo quinto VNACUM Omnibus et singulis aliis cartis infeofamentis concessionibus donationibus priuilegiis ī̃munitatibus et juribus parliamentorum generalis conventionis secretiq̃ consilii actis sententiis decretis per nos nr̃osq̃ nobilissimos progenitores seu per quamcunq̃ aliam personam seu personas factis et concessę ad et in fauorem aldermani Prepositi Balliuorum Consiliariorum et cōmunitatum dicti nr̃i burgi de Abirdene pro tempore corumq̃ predicessorum et successorum quorumcunq̃ erga et concerneñ erectionem antedti nr̃i burgi In vnum liberum burgum regale cum omnibus juribus

ratified in our thirteenth parliament, held at Edinburgh on the twenty-first day of the month of July in the year of our Lord one thousand five hundred and ninety-three. AND ALSO A CHARTER made, given and granted by us * to the provost, baillies, councillors and community of our said burgh of Aberdeen, and their successors, not only ratifying and approving six particular charters therein set forth, but also of new giving, granting and disponing the said burgh, with lands, mills, fishings, customs, liberties and privileges respectively therein specified; dated at Falkland the fourteenth day of the month of August in the year of our Lord one thousand six hundred and one, and of our reign the thirty-fifth. TOGETHER WITH all and sundry other charters, infeftments, grants, gifts, privileges, immunities and rights, acts of parliaments, general convention, and privy council, sentences, decreets, made and granted by us and by our most noble ancestors, or by any other person or persons whatsoever, to and in favour of the alderman, provost, baillies, councillors and community of our said burgh of Aberdeen for the time being, and their predecessors and successors whatsoever, with respect to and concerning the erection of our burgh aforesaid

* See No. XLII., p. 100.

titulis et priuilegiis ad id spectañ per leges et consuetudinem nñi Regni Ac de oñibus terris domibus tenementis forrestis siluis moris marresiis coñunitate aquis salmonum piscariis molendinis astrictis multuris castris pratis lacubus montibus viridariis propugnaculis anchoragiis minutis custumis Bell-customis et Trone wechtis ponderibus mensuris aliisq; proficuis casualitatibus et diuoriis quibuscunq; que ad dictum nñm burgum antea spectabant et quas ipsi vel eorum predicessores aut authores vllo tempore preterito possidebant seu vtebantur Ac volumus et concedimus ac pro nobis et successoribus nñis cum auisamento predict decernimus et ordinamus quod antedicta generalitas specialitati minime damno seu preiudicio fuerit et quod specialitas generalitati nullatenus derogauerit eamve preiudicauerit Et quod hec p̃ns nña confirmatio et premissorum approbatio sit et ōnibus temporibus fuerit tanti roboris valoris et in se efficacie et effectus in omnibus respectibus dicto nño burgo de Abirdene ac præposito Balliuis consulibus burgensibus et coñunitati eiusdem eorumq; successoribus ac si omnia et singula antedta infeofamenta dispositiones donationes concessiones confirmationes jura tituli securitates decreta exemptiones litere scripta acta et evidentie omnesq;

into a free royal burgh, with all rights, titles and privileges belonging thereto by the laws and custom of our kingdom; and of all lands, houses, tenements, forests, woods, moors, marshes, commonty, waters, salmon fishings, mills, astrict multures, castles, meadows, lochs, hills, links, blockhouses, anchorages, petty customs, bell customs and tron weights, weights, measures, and other profits, casualties and duties whatsoever, which formerly belonged to our said burgh, and which they or their predecessors or authors possessed or made use of in any time past. And we will and grant, and for us and our successors, with advice aforesaid, decree and ordain, that the generality aforesaid shall be no injury or prejudice to the speciality, and that the speciality shall in no way detract from or prejudice the generality; and that this our present confirmation and approbation of the premises is, and at all times shall be, of as much strength, force, self efficacy and effect, in all respects, to our said burgh of Aberdeen, and the provost, baillies, councillors, burgesses and community thereof, and their successors, as if all and sundry the foresaid infeftments, dispositions, gifts, grants, confirmations, rights, titles, securities, decreets, exemptions, letters, writs, acts and evidents, and all gifts, liberties, con-

donationes libertates cōmoditates iīmunitates et priuilegia aliaq; generaliter seu specialiter in eisdem contenī ad longum de verbo in verbum hic insererentur Non obstañ quod ratione multitudinis numerositatis longitudinis et eorum prolixitatis minime hic inserta sunt Super quibus nos pro nobis et successoribus nr̄is dispensauimus ac per p̄ntis carte nr̄e tenorem cum consensu predicī pro perpetuo dispensamus PRETEREA Nos absq; damno derogatione seu preiudicio dicī cartarum infeofamentorum jurium decretorum actorum titulorum libertatum priuilegiorum aliorumq; tam specialiter quam gñaliter superius expresse ac pro earundem maiore corroboratione accumulando jura juribus pro bono fideli et gratuito seruitio nobis nr̄isq; nobilissimis progenitoribus per præpositum balliuos consules et cōmunitatem dicti nr̄i burgi eorumq; predicessores prestito et impenso ac vt ipsis in dicto seruitio perseverandi meliorem occasionem prebeamus DE NOUO cum auisamento et consensu predicī dedimus concessimus creximus et disposuimus Tenoreq; p̄ntis carte nr̄e pro nobis et successoribus nr̄is de nouo damus concedimus erigimus et disponimus predilectis nr̄is et fidelibus seruitoribus Preposito balliuis consulibus Burgensibus et cōmunitati dicti burgi nr̄i de Abirdene

veniences, immunities and privileges, and others in general or in special contained therein, were here inserted at length, word by word, notwithstanding that by reason of their multitude, number, length and prolixity they have not been here inserted; wherewith we, for ourselves and our successors, have dispensed, and by the tenor of our present charter, with consent aforesaid, do for ever dispense. FURTHER, without hurt, disparagement or prejudice to the said charters, infeftments, rights, decrees, acts, titles, liberties, privileges, and others in general or in special above set forth, and in further corroboration thereof, heaping rights upon rights, in return for the good, faithful and gratuitous service done and rendered to us and to our most noble ancestors by the provost, baillies, councillors and community of our said burgh and their predecessors, and in order to afford them better occasion for persevering in the said service, we have OF NEW given, granted, erected and disponed, and by the tenor of our present charter we, for us and our successors, do of new give, grant, erect and dispone to our well-beloved and trusty servants the provost, baillies, councillors, burgesses and community of our said burgh of Aberdeen and their successors for ever, ALL and whole

eorumq̃ successoribus pro perpetuo TOTUM et integrum antedtum burgum de Abirdene cum meniis muris fossis portis viis plateis passageis ōnibusq̃ et singulis domibus edificiis hortis tenementis croftis acris et rudis infra territoriū et libertatem eiusdem Ac etiam omnes et singulas terras cōmunes ad dtum nr̃m burgum spectañ cum ōnibus moris marresiis pratis partibus pendiculis et pertineñ ab antiquo vocaī forrestā de Stockat et siluam eiusdem intra limites metas et bondas earundem Sicuti eædem nunc occupantur et possidentur ac añuatim equitari et perambulari solent per predtos Prepositum Balliuos consules et cōitatem Totas et integras dictas terras de Rubislaw ac etiam totas et integras dtas terras de Cruiffis cum toftis croftis domibus edificiis partibus pendiculis et pertineñ earund Totas et integras omnesq̃ et singulas aquas de dee et done et salmonum piscarias earund infra et per omnes bondas partes et limites eiusdem sicuti eedem per prefatos Prepositum Balliuos consules et cōmunitatem eorumq̃ tenentes et servitores pro p̃nti occupantur et gauise sunt et specialiter salmonum piscarias super dicta de dee vulgo nuncupaī lie Raik et Stellis Midchingill Pott et fuirdis ex vtroq̃ latere eiusdem aque et prout dicte piscarie vna ab aliis dis-

the foresaid burgh of Aberdeen, with ramparts, walls, ditches, gates, ways, streets, passages, and all and sundry houses, buildings, yards, tenements, crofts, acres and roods within the territory and freedom thereof; and also all and sundry common lands belonging to our said burgh, with all moors, marshes, meadows, parts, pendicles and pertinents from of old called the Forest of Stocket, with the wood thereof, within the limits, meiths and boundaries of the same; as the same are now occupied and possessed, and are wont to be annually ridden and walked by the foresaid provost, baillies, councillors and community; all and whole the said lands of Rubislaw, and also all and whole the said lands of Cruives, with tofts, crofts, houses, buildings, parts, pendicles and pertinents thereof; all and whole, conjointly and severally, the waters of Dee and Don and the salmon fishings thereof, within and through all boundaries, parts and limits thereof, as the same are at present held and enjoyed by the said provost, baillies, councillors and community and their tenants and servants; and especially the salmon fishings on the said water of Dee commonly called the Raik and Stells, Midchingle, Pott, and Foords on both sides of the same water, and as the said fishings are

tincte et cognite sunt et etiam jacent et bondantur a lie bar et wattermouth dicti nr̃i burgi de Abirdene vsq; ad lie Brigwatter spectañ Willielmo forbes de Bairnes apud pontem de Dee Ac similiter salmonum piscarias super dict̃ aqua de done vulgo nuncupat̃ the Kingis Cavill eiusdem acque de done Tam subtus quam supra pontem eiusdem vulgo aboue and beneth the brig yairof cum ōnibus et singulis salmonū piscariis de lie Cruiffis prout eedem piscarie et lie Cruiffis re̅xiue bondantur et jacent a lie Wattermouth dicte aque de done vsq; et donec venerit ad torrentem vocat̃ Cruiff burne vna cum ōnibus et singulis aliis salmonum piscariis aliisq; piscationibus quibuscunq; super dict̃ aquis de dee et done intra et per omnes bondas earundem re̅xue superius expressis ad dictum nr̃m burgum spectañ et quarum ipsi eorumq; predicessores in vsu et possessione fuerunt et cum ōnibus et singulis lie Inchis et scheillis intra et super dictis acquis de dee et done ac cum libertate et priuilegio casas edificandi vulgo lie schealis trahendi dissipandi et arifaciendi retia vulgo drawing spredding and drying of nettis ex vtroq; latere dictarum aquarum re̅xiue prout dictus noster burgus eorumq; predicessores possessores et occupatores dictarum piscariarum similiter in vsu et possessione antea fuerunt cumq; etiam libertate et priuilegio habendi cymbas vulgo lie

distinguished and known one from the others, and as the same lie and are bounded from the bar and watermouth of our said burgh of Aberdeen to the Brig water at the Bridge of Dee, belonging to William Forbes of Barns; and likewise the salmon fishings on the said water of Don, commonly called the King's Cavill of the same water of Don as well above as below the bridge thereof; with all and sundry salmon fishings of the Cruives, as the said fishings and Cruives respectively are bounded and situated from the watermouth of the said river of Don till it comes to the stream called the Cruive burn, with all and sundry other salmon fishings and other fishings whatsoever on the said waters of Dee and Don, within and through all the bounds thereof, respectively above set forth, belonging to our said burgh, and of which they and their predecessors were in use and possession; and with all and sundry inches and sheills within and upon the said waters of Dee and Don, and with liberty and privilege to build huts, commonly called sheills, to draw, spread and dry nets on both banks of the said waters respectively, as our said burgh and their predecessors, possessors and occupiers of the said fishings, were formerly in use and possession of the like; as also with liberty

ferrie boittis vnam vel plures super dictis aquis de Dee et Done et in quibuscunq; locis et partibus earundem pro transportatione nr̃orum subditorum eorumq; bonorum et animalium prout eedem per dictos Prepositum Balliuos et consules dicti nr̃i burgi designabuntur et prout ipsis magis expediens et visum fuerit cum ōnibus diuoriis feodis et cōmoditatibus ad dictas cymbas lie ferrie boittis juste spectañ Omnia et singula molendina cōmunia dicti nr̃i burgi viz̄ Duo illa molendina infra d̄tum nr̃m burgum vocaī lie ouir et nather mylnis alia duo molendina extra eundem burgum vocaī lie Iustice mylnis et alia duo molendina jaceñ infra libertatem d̄ti nr̃i burgi Vnum eorundem vocaī the new mylne on buckisburne et aliud vocaī the new mylne vpone the den burn cum molendino ventoso apud lie Gallowgaitheid dicti nr̃i burgi cum multuris et sequelis d̄torum molendinorum de ōnibus granis crescentibus super omnibus et singulis croftis acris et terris cōmunibus d̄ti burgi et infra territorium et libertatem eiusdem et de omnibus granis ad burgenses et inhabitantes dicti nr̃i burgi spectañ aquam et ignem infra eundem patientibus vulgo thoilling fyre and watter within the same Totum et integrum montem castri lie greinmedow suburbem vocaī futtie cum capellis earundem ōnibusq; cymbis et albis piscationibus eid̄ incumbeñ

and privilege to have ferryboats, one or more, on the said waters of Dee and Don, and in any places and parts thereof whatsoever, for carrying across our subjects and their goods and beasts, as the same shall be appointed by the said provost, baillies and councillors of our said burgh, and as shall seem to them best and most expedient, with all duties, fees and advantages justly belonging to the said ferryboats; all and sundry common mills of our said burgh, to wit, those two mills within our said burgh called the Upper and Nether Mills, other two mills outwith our said burgh called the Justice Mills, and other two mills lying within the freedom of the said burgh, one thereof called the New Mill on Buxburn and the other called the New Mill on the Denburn, with the Wind Mill at the Gallowgatehead of our said burgh; with multures and sequels of the said mills from all grain growing on all and sundry crofts, acres and common lands of the said burgh, and within the territory and freedom thereof, and from all grain belonging to burgesses and inhabitants of our said burgh, tholing water and fire within the same; all and whole the Castlehill, the Green Meadow, the suburb called Futtie, with the chapels thereof, and all ferryboats and white fishings pertaining thereto;

Vnacum propugnaculo portu ac lie peir de Abirdene aqueductibus et passagiis eiusdem cum libertate et priuilegio onerandi et exonerandi naues et cymbas aliaq; vasa quecunq; in dtis aquis de Dee et done ex vtroq; latere eorundem et ad quaslibet partes et loca ac toties quoties dictis Preposito Balliuis consulibus et cōmunitati placuerit Ac etiam leuandi et recipiendi omnes minutas custumas anchoragias et lie schoir siluir aliasq; deuorias adeo libere in omnibus respectibus sicut burgus noster de Edinburgh eorumq; collectores apud portum et lie pier de Leith leuant et recipiunt Et vt per quemcunq; alium liberum burgū nr̄m regalem apud quoscunq; portus maris infra dictum regnum nr̄m scotie leuantur Et presertim leuandi et recipiendi omnibus temporibus futuris Tres solidos monete regni nr̄i Scotie de qualibet twnna bonorum vulgo of everie Tunn guidis exportat̄ et importat̄ in quacunq; naui cymba vel alia vasa infra dictū portum et lie harberie de Abirdene pro reparatione edificatione et sustentatione propugnaculi lie bulwark eiusdem applicandi in perpetuum prout dicti prepositi balliui consules et cōmunitas earumq; collectores his multis annis preteritis in vsu et possessione fuerunt totam et integram custumam vulgo vocat̄ lie Bell custome dti nr̄i burgi minutas custumas et tolloncas custumas eiusdem solitas et consuetas vna cum

together with the blockhouse, haven and pier of Aberdeen, the mill dams and channels thereof, with liberty and privilege to load and discharge ships and boats and other vessels whatsoever in the said waters of Dee and Don, on either side thereof, and at any parts and places whatsoever, and as often as shall seem proper to the provost, baillies, councillors and community; and also to uplift and receive all petty customs, anchorages and shore silver, and other duties, as freely in all respects as our burgh of Edinburgh and their collectors uplift and receive at the haven and pier of Leith, and as the same are uplifted by any other our free royal burgh at any seaports within our said kingdom of Scotland; and especially to uplift and receive in all time coming three shillings money of our kingdom of Scotland from every tun of goods exported and imported in any ship, boat or vessel whatsoever, within the said haven and harbour of Aberdeen, to be applied to the repair, building and upholding of the bulwark thereof for ever, as the said provosts, baillies, councillors and community and their collectors have been in use and possession for these many years past; all and whole the custom commonly called the bell custom of our said burgh, the petty customs and toll customs thereof

ponderibus lie Trone wechtis dicti nr̃i burgi feodis et diuoriis eisdem spectañ cumq; omnibus aliis ponderibus et mensuris libertatibus priuilegiis et im̃unitatibus ad d̃tum nr̃m burgum quouismodo pertineñ Et cum plena et libera potestate tenendi curias infra dictum nr̃m burgum territorium et libertatem eiusdem pro justicie administratione et transgressorum punitione secundum qualitatem eorum offensionū juxta leges et practicam huius regni nr̃i toties quoties opus fuerit Et leuandi exitus amerciamenta et eschetas d̃tarum curiarum cum bludewetis toties quoties contigerint Tam infra d̃tum nr̃m burgum libertatem et territorium eiusdem quam infra portum et fluxum maris lie heavin harberie and fludemark d̃ti nr̃i burgi Et huiõi exitus eschetas et bludewetas ad rem publicam d̃ti nr̃i burgi applicandi Ac etiam cum speciali p̃tate priuilegio et libertate dictis Preposito Balliuis consulibus et burgensibus gilde dicti nr̃i burgi eorumq; successoribus imperpetuum habendi frequentandi vtendi et exercendi vulgo the tred and traffiq[e] of merchandice ac emendi et vendendi vulgo lie Blok by top and sell vinum ceram lie wade pelles coria ac omne aliud genus mercantiarum

used and wont, together with the tron weights of our said burgh, fees and duties belonging thereto, and with all other weights and measures, liberties, privileges and immunities in any way pertaining to our said burgh; and with full and free power to hold courts within our said burgh, the territory and freedom thereof, for the administration of justice and the punishment of transgressors, in proportion to the nature of their offences according to the laws and practice of this our kingdom, as often as shall be necessary; and to uplift the issues, fines and escheats of the said courts with bloodwits as often as they shall occur, as well within our said burgh, the freedom and territory thereof, as within the haven, harbour and floodmark of our said burgh, and to apply such issues, escheats and bloodwits for the common good of our said burgh. And also with special power, privilege and liberty to the said provost, baillies, councillors and guild burgesses of our said burgh and their successors for ever, to have, essay, use and exercise the trade and traffic of merchandise, and to block, buy, top and sell* wine, wax, wadd, skins, and every other kind of merchandise and goods, as well of this our kingdom as of any foreign nation

* *Block*, to bargain, to exchange; *top* or *tape*, to sell in small quantities or by retail.—Jamieson's *Dictionary*.

et bonorum tam huius regni nr̃i quam cuiuscunq; extranee nationis Non solum infra predtum nr̃m burgum territorium et libertatem eiusdem verum etiam infra per omnes bondas vicecomitatus nr̃i de Abirdene Tam regalitatem quam regale Necnon habendi et tenendi infra dtum nr̃m burgum et libertat̃ eiusdem pro perpetuo Vnam mercatoriam Gildriam vulgo ane merchand Gildrie cum curiis gilde consilariis membris et jurisdictione ad eandem pertineñ libertatibus et priuilegiis eiusdem eschetis et exitibus dictarum curiarum similimodo et adeo libere in omnibus et per omnia sicuti per nos nr̃osue predicessores cuicunq; alio libero burgo regali infra dtum regnum Scotie conceditur ac cum omnibus aliis immunitatibus et libertatibus que de legibus huius nr̃i regni ad eorum mercimonii exercitum vel ad curias gilde et Bursas spectant seu spectarunt Necnon infra predtum nr̃m burgum habendi tenendi vtendi gaudendi et exercendi hebdomadati duas dies publicas forales viz Diem Mercurii et diem Saturni vna cum duabus liberis nundinis Bis in anno Vnam earundem ad festum Penthecostes et aliam ad festum diui Nicolai cum tholloneis et custumis earund̃ incipiendi tenendi et continuandi secund̃ vsum et consuetudinem vsitat̃ et consuet̃

whatever; not only within our foresaid burgh, the territory and freedom thereof, but also within all bounds of our sheriffdom of Aberdeen, as well regality as royalty;* as well as to have and hold for ever, within our said burgh and the freedom thereof, a Merchant Guildry, with guild courts, councillors, members, and jurisdiction pertaining thereto, liberties and privileges thereof, escheats and issues of the said courts in like manner and as freely, in all and through all, as is granted by us or our predecessors to any other free royal burgh whatsoever within the said kingdom of Scotland, and with all other immunities and liberties which by the laws of this our kingdom belong or belonged to the exercise of their merchandise, or to guild courts and burses; as well as to have, hold, use, enjoy and exercise within our foresaid burgh, every week, two public market days, namely, Wednesday and Saturday, together with two free fairs twice in the year, one thereof at the Feast of Pentecost, and the other at the Feast of St. Nicolas,† with the tolls and customs thereof, to begin, hold and continue according to the use and

* *Royalty*, territory immediately under the jurisdiction of the king; *regality*, territory the jurisdiction over which has been granted by the king to a subject.

† 6th December.

ET cum libertate et p̃tate plura molendina tam ventosa quam granorum et fullonum infra dtum nr̃m burgum libertatem et territorium eiusdem edificandi et construendi talesq; partes predict̃ com̄unium terrarum prefate forreste de Stockat que hactenus minime locantur pro vtilitate et cōmodo dicti nr̃i burgi assedandi et locandi Precipiendo mandando et inhibendo omnibus personis tam regalitatis quam regalis (burgensibus gilde dicti nr̃i burgi de Abirdene minime existeñ) Ne presumant vsurpare exercere seu occupare exercitium mercantiarum vulgo the tred and traffiq; of merchandice aut aliquod priuilegium seu punctū ad vnum liberum burgum regalem pertineñ infra libertatem et bondas dti nr̃i burgi et victum eiusdem Sub pena incarcerationis personarum et forisfacture et eschete eorum bonorum et mercantiarum vbicunq; eadem apprehendi poterint INSUPER Nos cum auisamento et consensu predicto dedimus et concessimus Tenoreq; p̃ntis carte nr̃e damus et concedimus pro nobis et successoribus nr̃is plenam p̃tatem com̄issionem et nr̃am authoritatem Prefatis Preposito Balliuis et consulibus dti nr̃i burgi de Abirdene eorumq; successoribus acta statuta et Ordinationes pro com̄uni bono et proficuo dti nr̃i burgi ac manutentione libertatū et

custom used and wont. AND with liberty and power to build and construct more mills, as well windmills as grain and fulling mills, within our said burgh, the freedom and territory thereof, and to set and let such parts of the foresaid common lands of the foresaid Forest of Stocket as are not already let, for the profit and advantage of our said burgh: Enjoining, commanding and forbidding all persons, as well in regality as in royalty (not being guild burgesses of our said burgh of Aberdeen), that they do not make bold, within the liberty and bounds of our said burgh and the sheriffdom thereof, to usurp, exercise or appropriate the trade and traffic of merchandise or any privilege or point pertaining to a free royal burgh, on pain of imprisonment of their persons and of forfeiture and escheat of their goods and merchandises, wheresoever the same can be seized. MOREOVER, with advice and consent aforesaid, we have given and granted, and by the tenor of our present charter do give and grant, for us and our successors, to the foresaid provost, baillies and councillors of our said burgh of Aberdeen, and their successors, full power, commission and our authority to make and publish acts, statutes and ordinances for the common good and profit of our said burgh, and for the maintenance of the liberties and privileges thereof, to be observed and fulfilled

priuilegiorum ejusd per omnes burgenses et inhabitantes dti nr̃i burgi ac omnes alias personas eund frequentañ et reparañ observanda et perimplenda Sub talibus penis prout ipsis magis videbitur expediens faciendi et edendi ac eadem acta et ordinationes cū ōnibus parliamentorū nr̃orum g̃nalium conventionū et secreti consilii actis burgorum constitutionibus et ōnibus eorum propriis actis decretis et sententiis datis seu dandis in fauorem dict̃ eorum libertatū debite obseruari causandi et ad finalem executionem ponendi et prosequendi infra territorium et libertatē dti nr̃i burgi de Abirdene et vicecōitatum eiusdem predict̃ Cum spēiali etiam p̃tate dictis Preposito Balliuis et consulibus personas dict̃ eorum priuilegiis actis constitutionibus decretis et sententiis contravenientes vocandi prosequendi arrestandi et incarcerandi Ac cum eorum bonis intromittendi et eadem esceatandi Quequidem eschete bona et exitus nos pro nobis et successoribus nr̃is cum consensu predto damus et concedimus cōmuni vsui dti burgi nr̃i de Abirdene et ad supportationem cōmuniū rerū et operum ejusd cum ōnibus exitibus et amerciamentis curiarū penes que dict̃ contravenientes incurrere contigerint ET SIMILITER Nos cū auisamento et consensu predict̃ Dedimus concessimus et

by all burgesses and inhabitants of our said burgh, and by all other persons frequenting and repairing to the same, under such penalties as shall seem most expedient to them; and to cause the same acts and ordinances to be duly observed, with all acts of our parliaments, of general conventions, and of privy council, constitutions of the burghs, and all their own proper acts, decrees and sentences made or to be made in favour of their said liberties, and to put and prosecute the same to final execution, within the territory and freedom of our said burgh of Aberdeen and the sheriffdom thereof aforesaid; also with special power to the said provost, baillies and councillors to summon, prosecute, arrest and imprison persons contravening their said privileges, acts, constitutions, decrees and sentences, and to intromit with their goods, and to escheat the same, which goods and issues of escheat we, for us and our successors, with consent aforesaid, give and grant for the common use of our said burgh of Aberdeen, and for the upholding of the common affairs and works thereof, with all issues and fines of the courts which the said contraveners shall happen to incur. AND LIKEWISE, with advice and consent aforesaid, we have given, granted and disponed, and by the tenor of our present charter, for us and our successors, do give, grant and

disposuimus Tenoreq; p̃ntis carte nr̃e pro nobis et successoribus nr̃is damus concedimus et disponim⁹ prefatis preposito Balliuis consulibus et com̃unitati ḋti nr̃i burgi de Abirdene eorumq; successoribus Omnes et singulos ānuos reddit̃us firmas feudifirmas ānuas deuorias alteragia terras piscarias tenementa domos croftas et capellanias que antea ad capellanias [capellanos? *cf.* p. 122, l. 10] dicte eccl̃ie parochialis diui Nicolai de Abirdene spectabant cum omnibus tenementis croftis mansionibus lie dail siluir et ānniversariis quibuscunq; que antea pertinuerunt ad quascunq; capellanias prebendaria et altaragia in quacunq; eccl̃ia capella vel collegio infra libertatem ḋti burgi nr̃i de Abirdene per quascunq; personas aut patronos fundat̃ vbicunq; jacent infra ḋtum regnū nr̃m Scotie vel quocunq; tempore preterito leuari solebant Totam et integram mansiones locum domos edificia hortos et eccl̃eam que ad franciscanos vel fratres minores dicti burgi vulgo Grayfreiris antea spectabant ac etiam cõem lacū ḋti nr̃i burgi infra et per omnes bondas et partes eiusdem nec non montes vulgo nuncupat̃ lie Woman hill Playfeddill Sanctkathareins hill hedonishill et gallowhillis Vnacum viridariis et campis vulgo lie Linkis ḋti nr̃i burgi prout jacent in longitudine et latitudine ab ostio vulgo the wattermouth

dispone, to the foresaid provost, baillies, councillors and community of our said burgh of Aberdeen, and their successors, all and sundry annual rents, rents, feu-duties, annual dues, altarages, lands, fishings, tenements, houses, crofts and chaplainries, which formerly belonged to the chaplains of the Parish Church of Saint Nicolas of Aberdeen, with all tenements, crofts, dwelling-houses, daill silver and anniversaries whatsoever, which formerly pertained to any chaplainries, prebends and altarages whatsoever, in any church, chapel or college whatsoever, within the freedom of our said burgh of Aberdeen, by whatsoever persons or patrons founded, wheresoever they lie within our said kingdom of Scotland, or whensoever in time past they were wont to be uplifted; all and whole the dwellings, place, houses, buildings, yards and church, which formerly belonged to the Franciscans or Minor Friars of the said burgh, commonly called the Gray Friars; and also the common loch of our said burgh, within and through all bounds and parts thereof; as well as the hills commonly called the Woman Hill, Playfield, St. Katharine's Hill, Hedonis Hill and Gallowhills; together with the greens and fields commonly called the Links of our said burgh, as they lie in

of Dee vsq; ad ostium vulgo the Wattermouth of Done cum teneñ tenañ libereq; teneñ seruitiis oñm et singularū predict terrarum et piscariarum partibus pendiculis et pertineñ quibuscūq; ac cum ōnibus aliis et singulis libertatibus im̄unitatibus juribus et priuilegiis quibuscunq; ad eund spectañ et quorum dti prepositus balliui consules et cōitas eorumq; predicessores aliquib⁹ t̄pribus retroactis possne extiterunt Vna etiam cum tam āplis et magnis priuilegiis libertatibus et im̄unitatib⁹ sicuti per nos aut aliquos nr̄os antecessores burgis nr̄is de Edinburt Perth Dunde aut alicui alio burgo regali infra dtū regnū nr̄m Scotie quouis t̄pre preterito diem datāq; p̄ntis carte nr̄e precedeñ donata concessa et disposita sunt cumq; ōnibus iure titulo interesse jurisclameo proprietate et possessione que nos vel predicessores aut successores nr̄i habuimus habemus seu quouismodo habere clamare aut p̄ndere poterimus aut poterint in et ad predtum burgum nr̄m de Abirdene terras acras croftas terras cōes molendina multuras piscarias castra lacum prata montes viridaria propugnaculum anchoragia lie Toll et Bell customes lie Tronewechtis mensuris ānuos redditus mansionem locum domos hortos

length and breadth from the watermouth of Dee to the watermouth of Don; with tenants, tenandries,* and services of free tenants, of all and sundry the foresaid lands and fishings, with all parts, pendicles and pertinents whatsoever, and with all and sundry other liberties, immunities, rights and privileges whatsoever belonging thereto, and of which the said provost, baillies, councillors and community, and their predecessors, were in possession in any times past; also together with as full and great privileges, liberties and immunities as were given, granted and disponed by us or by any of our ancestors to our burghs of Edinburgh, Perth, Dundee, or any other royal burgh within our said kingdom of Scotland, at any time past preceding the day and date of our present charter; and with all right, title, interest, claim of right, property and possession, which we or our predecessors or successors had, have, or in any way may claim or pretend to have, in or to our foresaid burgh of Aberdeen, lands, acres, crofts, common lands, mills, multures, fishings, castles, loch, meadows, hills, links, blockhouse, anchorages, toll and bell customs, tron weights, measures, annual

* "*Cum tenentibus, tenandriis*—with tenants and tenandries, seems to give the grantee only the rights of a landlord over a free tenant, though no doubt there were services exacted from the freest tenant by the lord—service in harvest, carriages, labour on the roads of the barony." —Cosmo Innes' *Scotch Legal Antiquities*, p. 49.

et ecclíam que olim ad dtos fratres franciscanos seu Minores spectabant aliaq; tam spẽaliter quã gñaliter supra recitaĩ vel ad aliquã partem pendiculũ aut portionem earundem firmas proficua casualitates et deuorias eiusmodi quorũcunq; ãnorũ et terminorũ preteritorũ aut futurorum pro quacunq; causa facto aut occasione preterita diem datãq; p̃ntis carte nr̃e precedeñ renũciando quiete clamando et simpliciter exonerando eisd cũ õnibus actione instantia et execũne nobis vel successoribus nr̃is competeñ seu competere valeñ prefatis Preposito Balliuis Consulibus et cõmunitati dti burgi nr̃i suisq; successoribus ac in fauorem eorũ pro nũc et in perpetuũ cum pacto de non petendo ac cum supplemento õniũ aliorũ defectuũ objectionũ et imperfectionũ quorũcunq; tã non noĩaĩ quã noĩaĩ p̃ntium preteritorũ quã futurorũ quos nos tanq^{u} pro expressꝭ in hac p̃nti carta nr̃a haberi volumus ac desuper pro nobis et successoribus nr̃is in perpetuum dispensamus VLTERIUS cum auisamento et consensu predicto ex nr̃a regia p̃tate authoritate regali certa scientia et proprio motu vniuimus ãnexauimus et incorporauim^{9} tenoreq; p̃ntis carte nr̃e pro nobis et successoribus nr̃is vnimus ãnexamus et incorporamus ad et cũ dto burgo nr̃o de Abirdene

rents, dwelling, place, houses, yards and church which of old belonged to the said Franciscan or Minor Friars, and others above recited as well specially as generally, or to any part, pendicle or portion thereof, renouncing, quit-claiming, and simply upgiving to the same, the rents, profits, casualties and duties thereof for any years or terms whatsoever bygone or to come, for any bygone cause, deed or occasion whatsoever, preceding the day and date of our present charter, with all action, instance and execution competent, or that may be competent to us or our successors against the foresaid provost, baillies, councillors and community of our said burgh, and their successors, and in their favour now and for ever, with the agreement of not seeking, and with supplement of all other defects, objections and imperfections whatsoever, as well not named as named, present, bygone and to come, which we wish to be held as set forth in this our present charter, and wherewith we, for us and our successors, do for ever dispense. FURTHER, with advice and consent aforesaid, of our royal power, regal authority, certain knowledge and free will, we have united, annexed and incorporated, and by the tenor of our present charter, for us and our successors, do unite, annex and incorporate to and with our said burgh of Aberdeen, the liberties and privileges thereof,

libertatib⁹ et priuilegiis eiusdem ōnes et singulas prędtas terras acras croftas ꝑras cōes molendina multuras piscarias castra lacū prata montes viridaria propugnaculū anchoragia lie toll et bell customes lie trone wechtis mensuras ānuos redditus mansionem domos hortos aliaq; gñaliter et paꝛter supra recitaꝛ ac volum⁹ et concedimus ac pro nobis et successoribus nr̄is decernim⁹ et ordinam⁹ Quod vnica sasina virtute huius p̄ntis carte nr̄e preposito aut vni balliuorū ꝺti nr̄i burgi apud crucem foralem eiusd per terre et lapidis fundi deliberationem danda et concedenda Stabit et erit sufficiens sasina dict̄ Preposito Balliuis consulibus et cōitati ꝺti burgi eorumq; successoribus ōni tp̄re futuro pro toto et integro ꝺto burgo omnibusq; et singulis ꝑris dōibus edificiis hortis tenementis portis croftis acris rudis terris comūniis Terris de Rubislaw et terris de Cruiffis salmonū piscariis super ꝺtis aquis de Dee et done molendinis multuris monte castri futtie propugnaculo portu lie havin peir et schoir lie Bell custome toll et small customes lie Trone wechtis mensuris ponderibus pratis lacu viridariis montibus anchoragiis ānuis redditibus mansionibus libertatibus priuilegiis aliisq; specialiter et gñaliter supra mentionaꝛ adeo libere in ōnibus respectibus ac si ꝺtus

all and sundry the foresaid lands, acres, crofts, common lands, mills, multures, fishings, castles, loch, meadows, hills, links, blockhouse, anchorages, toll and bell customs, tron-weights, measures, annual rents, dwelling place, houses, yards and others, generally and particularly set forth above; and we will and grant, and, for us and our successors, decree and ordain, that a single sasine, to be given and granted in virtue of this present charter to the provost or to one of the baillies of our said burgh, at the market cross thereof, by the delivery of earth and stone, shall stand and be a sufficient sasine to the said provost, baillies, councillors and community of the said burgh and their successors in all time to come, for all and whole the said burgh, and for all and sundry lands, houses, buildings, yards, tenements, gates, crofts, acres, roods, common lands, lands of Rubislaw and lands of Cruives, salmon fishings on the said waters of Dee and Don, mills, multures, Castlehill, Futtie, blockhouse, haven, pier and shore, bell custom, toll and petty customs, tron-weights, measures, weights, meadows, loch, links, hills, anchorages, annual rents, dwelling places, liberties, privileges and others, specially and generally mentioned above, as freely in all respects as if the said burgh and others above written lay together and side by side, and not in divers places and parts, and also as if

burgus aliaq; prescript simul et contigue et non in diuersis locis et partibus jacerent ac etiam si particulares sasine apud quālibet partem et locū earund cum ōnibus solemnitatibus requisitis caperentur Et non obstañ iisd Super quibus nos pro nobis et successoribus nr̄is dispensauimus ac per p̄ntis carte nr̄e tenorem pro nūc et in perpetuum dispensamus Sic q sasina nunc modo et forma supra expresse capienda Stabit ac in se erit valida ltima et sufficiens absq; aliqua alia sasina de eisdem aut de aliqua earund parte in posterum suscipienda TENEN ET HABEN Totum et integrum dtum nr̄m burgum de Abirdene cum omnibus et singulis terris domibus edificiis hortis tenementis portis propugnaculo portu lie Bulwark peir et schoir croftis acris rudis terris comuniis Terris de Rubislaw et Cruiffis Salmonū piscariis super dtis aquis de Dee et Done molendinis multuris monte castri pratis et suburbe callit futtie cum capellis cymbis et albis piscationibus lie Bell Custome Toll et small customes lie tron wechtis mensuris lacubus montubus viridariis anchoragiis custumis annuis redditibus mansionibus libertatibus priuilegiis aliisq; spēaliter et gnaliter supra mentionat prefatis Preposito Balliuis Consulibus et comunitati dicti nr̄i burgi eorumq; successoribus de nobis nr̄isq; successoribus in feodo hereditate ac

particular sasines were taken on every part and place thereof, with all the requisite solemnities; and notwithstanding the [omission of the] same, wherewith we, for ourselves and our successors, have dispensed, and by the tenor of our present charter do now and for ever dispense; so that a sasine now taken in the mode and form above set forth shall stand and be in itself valid, lawful and sufficient, without the execution in time to come of any other sasine thereupon, or on any part thereof. TO BE HELD AND HAD, all and whole, our said burgh of Aberdeen, with all and sundry lands, houses, buildings, yards, tenements, gates, bulwark, haven, pier and shore, crofts, acres, roods, common lands, lands of Rubislaw and Cruives, salmon fishings on the said waters of Dee and Don, mills, multures, Castlehill, meadows, and suburb called Futtie, with chapels, boats and white fishings, bell custom, toll and petty customs, tron-weights, measures, lochs, hills, links, anchorages, customs, annual rents, dwelling places, liberties, privileges and others, specially and generally mentioned above; by the foresaid provost, baillies, councillors and community of our said burgh, and their successors, of us and our successors, in fee, heritage and free burgage for ever, by all their

libero burgagio in perpetuū per ōnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine in domibus edificiis boscis planis moris marresiis viis semitis aquis stagnis riuolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cunicularíis columbis columbariis fabrilibus brasinis brueriis brueriis [*sic*] et genestis Siluis nemoribus et virgultis lignis tignis lapicidiis lapide et calce Cum curiis et carū exitibus herezeldis bludewetis et mulierum marchetis cum cõi pastura liberoq; introitu et exitu ac cum ōnibus aliis et singulis libertatibus cōmoditatibus proficuis asiamentis ac iustis suis pertineñ quibuscunq; tā non noïaī quā noïaī tam subtus ꝟra quā supra ꝟram procul et prope ad predicī burgum ꝟras aliaq; predicī cum pertineñ spectañ seu iuste spectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace absq; vlla reuocatione contradictione impedimento aut obstaculo aliquali REDDENDO inde annuatim nobis nr̃isq; successoribus nr̃isq; computorum rotulatoribus nr̃o noïe predictam summam ducentarum tredecim librarum sex solidorum et octo denariorū vsualis monete huius regni nr̃i scotie In terminis solutionis eiusdem solitis et consuetis Tanquam antiquam diuoriam seu

ancient right meiths and marches, as they lie in length and breadth, in houses, buildings, woods, plains, moors, marshes, roads, paths, waters, ponds, streams, meadows, pastures and pasturages, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coals, coal pits, rabbits, rabbit warrens, doves, dovecots, smithies, brewhouses, heath and broom, woods, groves and thickets, firewood, timber, quarries, stone and lime, with courts and their issues, herezelds, bloodwits, and merchets of women, with common pasture and free ish and entry, and with all and sundry other liberties, conveniences, profits, easements and their just pertinents whatsoever, as well not named as named, as well under the ground as above the ground, far and near, belonging, or which may in any way justly belong in time to come, to the foresaid burgh lands and others aforesaid, with pertinents; freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, challenge, hindrance or obstacle of any kind. PAYING therefôr yearly to us and to our successors, and to our comptrollers in our name, the foresaid sum of two hundred and thirteen pounds six shillings and eightpence usual money of this our kingdom of Scotland, at the terms of payment thereof used and wont, as

ānuū censum pro firmis burgalibus đti nr̃i burgi solui solit̃ et consuet̃ Ac in scaccario nr̃o per auditores eiusđ annuatim õibus t̃pribus retroactis recept̃ et allocat̃ vna cū sum̃a viginti solidorum monete anteđte in augmentãnem rentalis nr̃i nomine firmarum burgalium Tantū absq; aliqua alia exactione onere questione demanda seu seruitio seculari que de predicto burgo aliisq; supra script̃ aliqualiter exigi poterint quomodolibet vel requiri IN CUJUS REI testimonium huic p̃nti carte nr̃e magnum sigillum nr̃m apponi precepimus TESTIBUS predilectis nr̃is consanguineis et consiliariis Jacobo Marchione de hamiltoun comite arranie đno Evañ etc Georgio Mariscalli comite đno Keith etc Regni nr̃i Mariscallo Alexandro comite de dumfermling đno fyvie etc nr̃o Cancellario Thoma đno Bynning etc nr̃o secretario dilectis nr̃is familiaribus consiliariis Dñio Ricardo Cokburne juniore de Clerkingtoun nr̃i secreti sigilli custode Georgio Hay de Netherliff nr̃orum rotulorū reg̃ri ac consilii clerico Joanne Cokburne de Ormestoun nr̃e justiciare clerico Et Joanne scott de Scottistarvet nr̃e cancellarie directore militibus · APUD Faulkland decimo septimo die mensis Julii anno đni millesimo sexcentesimo decimo septimo Ac Annis regnorum nr̃orum Quinquagesimo et decimo quinto

the ancient duty or annual mail, by way of burgh rents of our said burgh, used and wont in all times past to be yearly paid, and received and allocated in our exchequer by the auditors thereof; together with the sum of twenty shillings money aforesaid in augmentation of our rental in name of burgh rents only, without any other exaction, burden, question, demand or secular service which could be in any way exacted or required of the foresaid burgh and others above written. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter. WITNESSES: Our well-beloved cousins and councillors, James, Marquis of Hamilton, Earl of Arran, Lord Avon, etc.; George, Earl Marischal, Lord Keith, etc., Marshall of our Kingdom; Alexander, Earl of Dunfermline, Lord Fyvie, etc., our Chancellor; Thomas, Lord Binning, etc., our Secretary; our beloved familiar councillors, Sir Richard Cockburn, Younger of Clerkington, Keeper of our Privy Seal; George Hay of Netherchft, Clerk of our Rolls, Register, and Council; John Cockburn of Ormeston, our Justice Clerk; and John Scot of Scotstarvet, Director of our Chancery, Knights. AT Falkland, the seventeenth day of the month of July in the year of our Lord one thousand six hundred and seventeen, and in the years of our reigns the fiftieth and the fifteenth.

XLIV.

JACOBUS Dei gratia Magne Britannie Francie et Hybernie Rex Fideiq; defensor OMNIBUS probis hominibus totius terre sue clericis et laicis salutem SCIATIS nos cum auisamento et consensu predilecti nr̃i consanguinei et consiliarii Joannis comitis de Mar dn̄i Arskene et Garioche etc magni thesaurarii computorum rotulatoris collectoris gn̄alis ac nr̃i thesaurarii nr̃arum novarum augmentationum infra regnum nr̃m Scotie necnon predilecti nr̃i consiliarii dn̄i Gedionis Murray de Eliebank militis nr̃i thesaurarii computorum rotulatoris collectoris gn̄alis et thesaurarii nr̃arum novarum augmentationum deputati infra dictum nr̃m regnum dominorumq; nr̃orum com̄issionariorum infra eiusdem regnum nr̃m dedisse concessisse et in feudifirma hereditarie disposuisse et hac p̄nti carta nr̃a confirmasse tenoreq; eiusdem cum avisamento et consensu predict̄ dare concedere et in feudifirma hereditarie disponere ac pro nobis et successoribus nr̃is pro perpetuo confirmare dilectis nr̃is dn̄o Thoma Menzeis de Cultis militi preposito Willielmo Gray Thome Forbes Roberto Johnestoun et Gilberto culleñ

XLIV.

King James VI. confirms to the provost, baillies, etc., a grant made (12*th July*, 1612), *by Master Duncan Liddell, of the lands of Pitmedden, for the maintenance of poor scholars.* 20*th August*, 1617.

JAMES, by the grace of God King of Great Britain, France, and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE, that with advice and consent of our well-beloved cousin and councillor, John, Earl of Mar, Lord Erskine and Garioch, etc., high treasurer, comptroller, collector-general, and our treasurer for our new augmentations within our kingdom of Scotland, as also of our well-beloved councillor, Sir Gideon Murray of Eliebank, Knight, our depute treasurer, comptroller, collector-general, and treasurer for our new augmentations within our said kingdom, and of our Lords Commissioners within our same kingdom, we have given, granted and heritably disponed in feufarm, and by this our present charter have confirmed, and by the tenor thereof, with advice and consent aforesaid, do give, grant and heritably dispone in feufarm, and for us and our successors for ever do confirm, to our beloved Sir Thomas Menzies of Cults, Knight, provost; William Gray, Thomas Forbes, Robert Johnston, and Gilbert

Balliuis et magistratibus Burgi nr̃i de Aberdene pro se et nomine consilii et communitatis dicti burgi et eorum successoribus prepositis balliuis magistratibus consilio et communitati dicti burgi ad vsum infrascript̃ et pro sustentatione pauperum studiosorum in modo subsequeñ OMNES et singulas villam et terras de Pitmedden cum domibus edificiis hortis toftis croftis partibus pendiculis et pertineñ petariis pratis lesuris cum cōmunitate ac cõi pastura eiusdem et piscaria salmonum dictis terris spectañ et privilegio eiusdem supra aqua de Done ac cum libera potestate fodiendi lucrandi et transportandi glebas et focalia de glebario de Dyce jaceñ in parochia de Dyce et vicecomitatum de Aberdene necnon decimas garbales oñm et singularum predictarum ville et terrarum cum partibus pendiculis et pertineñ nunc cum trunco annexatas vnitas et incorporatas eo fine vt cum dictis terris omni tempore futuro inseparabiliter remaneant QUEQUIDEM villa et terre de Pitmeddeñ salmonum piscatio aliaq, suprascript̃ per quondam Magrum Duncanum Liddell Doctorem Medicine acquisita fuerunt ad hunc finem vt pro sustentatione sex pauperum studentium in collegio Abirdonensi fundari et mortificari possent Ac per ipsum Georgio Strauchane in Glithno in

Cullen, baillies and magistrates of our burgh of Aberdeen, for themselves, and in name of the council and community of the said burgh, and to their successors, provosts, baillies, magistrates, council and community of the said burgh, for the use underwritten, and for the maintenance of poor scholars in manner to follow. ALL and sundry the town and lands of Pitmedden, with houses, buildings, yards, tofts, crofts, parts, pendicles and pertinents, petaries, meadows, leasures, with commonty and common pasture thereof, and the salmon fishing belonging to the said lands, and the privilege thereof on the water of Don, and with free power to cast, win and lead peats and fuel from the peat moss of Dyce, lying in the parish of Dyce and sheriffdom of Aberdeen, as also the teind sheaves of all and sundry the aforesaid town and lands, with parts, pendicles and pertinents, now annexed, united and incorporated with the stock, to the end that in all time to come they may remain inseparable from the said lands. WHICH town and lands of Pitmedden, salmon fishing and others above-written were acquired by the deceased Master Duncan Liddell, Doctor of Medicine, to the end that they might be devised and mortified for the maintenance of six poor students in the College of Aberdeen; and by him were conveyed in feu to George Strachan in Glithno; to be held of us and

feudifirma alienate fuerunt Teneñ de nobis et successoribus nr̃is in feudifirma et hereditate pro solutione certi annui redditus nobis facieñ Ac aliarum reddituum subscript̃ pro sustentatione dictorum studiosorum Queq, alienatio facta dicto Georgio Strauchane per nos ltime confirmata fuit QUASQUIDEM terras salmonum piscationē aliaque suprascript̃ dictus Georgius Strauchane per suos procuratores et ltras procuratoriales ad hunc effectum ltime constitut̃ in manibus dn̄orum commissionariorum regni nr̃i Scotie p̃tatem habentium resignationes nr̃o noīe recipiendi tanquam in manibus nr̃is imediati superioris apud Edinburgum resignauit cum omne jure titulo et interesse jurisclameo proprietate aut possessione que et quas dictus Georgius Strauchane in et ad predictas terras piscationes aliaq, supradicta aut aliquam earundem partem omni tempore affuturo habuit habet seu quouismodo habere potuit in favorem et pro hoc novo feudifirme infeofamento dictis preposito balliuis consilio et communitati dicti burgi de Abirdeñ et eorum successoribus per nos in debita et competenti forma dando et concedendo QUEQUIDEM decime garbales dictarum terrarum aliarumq, suprascript̃ antea ad rectoriam de Kinkell tanquam pars patrimonii eiusdem pertinuerunt et quas Mag̃r Joannes Walker rector de Kinkell cum avisamento et consensu Reuerendi

our successors in feufarm and heritage, in return for a certain annual rent to be paid to us, and for other rents underwritten towards the maintenance of the said poor scholars; which conveyance made to the said George Strachan was lawfully confirmed by us. WHICH lands, salmon fishing and others above-written the said George Strachan, by his procurators and procuratorial letters to that end lawfully constituted, did resign at Edinburgh in the hands of the Lords Commissioners of our kingdom of Scotland, empowered to receive resignations in our name, as in the hands of us, the immediate superior, with all right, title and interest, claim of right, property, or possession, which the said George Strachan had, has, or in any way could have in all time to come, in and to the foresaid lands, fishings and others above-written, in favour of, and for this new infeftment of feufarm to be given and granted by us in due and competent form to, the said provost, baillies, council and community of the said burgh of Aberdeen and their successors. WHICH teind sheaves of the said lands and of others above-written formerly belonged to the parsonage of Kinkell as part of the patrimony thereof, and which Master John Walker, parson of Kinkell, with advice and consent of the Reverend Father in God,

in Deo patris Joannis Archepiscopi Sancti Andree patroni dicte rectorie ac episcopi et capituli eccl̃ie cathedralis Abirdoneñ in manibus dictorum dñorum com̄issionariorum regni nr̃i Scotie dictam p̃tatem habentium tanquam in manibus nr̃is demisit extradonauit resignauit ad hunc effectum vt predicte decime pro meliori mortificatione dictarũ terrarum de Pettmeden et decimarum earundem ad sustentationem dictorum studiosorum omni tempore affuturo disponerentur conjugerẽtur et cum trunco seu stipite vnirentur secundum voluntatem et intentionem dicti quondam Mag̃ri Duncani Liddell mortificatoris earund̃ apud [*sic*] per suas procuratores et lr̃as procuratoriales eorum manibus subscriptas ad effectum supra specificat̃ cum ōni jure et titulo dicto Mag̃ro Ioanni et suis successoribus rectoribus de Kinkell ad dictas decimas terrarum suprascript̃ competentibus Quamquidam mortificationem dictarum terrarum et decimarum earundem nos in nr̃o parliamento * * * * * * * ratificamus approbamus et confirmamus * * * * * * * * * TENENDAS ET HABENDAS omnes et singulas predictas villam et

John, Archbishop of St. Andrews, patron of the said parsonage, and of the bishop and chapter of the Cathedral Church of Aberdeen, did demit, upgive, resign, in the hands of the said Lords Commissioners of our kingdom of Scotland, empowered as above, as in our hands, to this effect, that the foresaid teinds, for the better mortification of the said lands of Pitmedden and the teinds thereof towards the maintenance of the said scholars in all time to come, might be disponed, conjoined and united with the stock or , conform to the will and intention of the said deceased Master Duncan Liddell, the mortifier thereof, at , by his procurators and procuratorial letters subscribed by their hands, to the end above set forth, with all right and title competent to the said Master John and his successors, parsons of Kinkell, to the said teinds of the lands above-written. Which mortification of the said lands and teinds thereof we in our parliament * * do ratify, approve and confirm.*

* * * * * * * * *

TO BE HELD AND HAD all and sundry the foresaid town and lands of Pit-

* Liddell's Deed of Mortification, 12th July, 1612, and the ratifying Act of Parliament, 28th June, 1617, will be printed in the *Fasti Academiæ Mariscallanæ*, to be issued by the New Spalding Club.

terras de Petmeddeñ cum domibus edificiis hortis toftis croftis partibus pendiculis et pertineñ petariis pratis lesuris cum cõi pasturagio et cōmunitate earundem et salmonum piscaria eiusdem spectañ et priuilegio eiusdem supra dicta aqua de Don cum libera p̃tate fodiendi lucrandi et transportandi glebas et focalia in dicto glebario de Dyce vna etiam cum dictis decimis garbalibus dictarum terrarum partibus et pendiculis earundem nunc vnit̃ annexat̃ et incorporat̃ cum stipite vt dictum est prefatis preposito et balliuis consilio et communitati dicti burgi de Abirdene eorumq; successoribus De nobis et successoribus nr̃is in feudifirma et hereditate imperpetuum per omnes rectas metas suas antiquas et diuisas prout jacent in longitudine et latitudine in domibus edificiis boscis planis moris maresiis viis semitis aquis stagnis rivolis pratis et pasturis molendinis multuris et eorum sequelis Aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cunicularíis columbis columbariis fabrilibus brasinis et genestis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce cum curiis querelis herezeldis bluidewitis et mulierum merchetis cum cõi pastura libero introitu et exitu Ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis

medden, with houses, buildings, yards, tofts, crofts, parts, pendicles and pertinents, petaries, meadows, pastures, with common pasturage and commonty thereof, and salmon fishing belonging thereto, and the privilege thereof on the said water of Don, with free power to cast, win and lead peats and fuel in the said peat moss of Dyce, together also with the said teind sheaves of the said lands, parts and pendicles thereof, now united, annexed and incorporated with the stock, as said is; by the foresaid provost and baillies, council and community of the said burgh of Aberdeen and their successors; of us and our successors in feufarm and heritage for ever, by all their true ancient meiths and marches, as they lie in length and in breadth, in houses, buildings, forests, plains, moors, marshes, ways, paths, ponds, streams, meadows and pastures, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coals, coal pits, rabbits, rabbit warrens, doves, dovecots, smithies, brewhouses and broom, woods, groves and thickets, firewood, timber, quarries, stone and lime, with courts, actions, herizelds, bloodwits, and merchets of women, with common pasture, free ish and entry, and with all and sundry other liberties, conveniences, profits, easements and their just pertinents whatsoever, as well

ac justis suis pertineñ quibuscunq; Tam non noïatis quam noïat tam subtus terra quam supra terram procul et prope ad predict terras decimas aliaq; particulariter supra recitat cum pertineñ spectañ seu juste spectare valeñ quomodolibet in futurum libere quiete plenarie integre honorifice benc et in pace Sine aliqua revocatione contradictione impedimento aut obstaculo quocunq; REDDENDO annuatim dicti prepositus balliui consules et communitas dicti burgi de Abirdene Nobis et successoribus nr̃is pro dictis ville et terris de Petmeddeñ salmonum piscaria decimis aliisq; supradictis summam sex librarum vsualis monete regni Scotie ad duos anni terminos festa viz̃ Penthecostes et Sancti Martini in hyeme per equales portiones et dictis sex studiosis dicti collegii annuatim post eorum p̃ntationem vt dictum est octuaginta quatuor bollas victualiū currentis mensure cuius dimedia pars sit ex pollenta altero vero ex pharina Viz̃ vnicuiq; ex dictis sex studiosis quatuor decem bollas predicti victualii boni et sufficientis mercimonii de granis super dictas terras de Pitmeddeñ annuatim crescentibus ad terminos solutionis firmarum vsitatos et consuetos Necnon soluendo pro dictis decimis rectori de Kinkell et suis successoribus jus ad id habentibus summam octo librarum monete Scotie annuatim ad festum Sancti Martini in

not named as named, under the earth and above the earth, far and near, belonging, or which may in future in any way come to the foresaid lands, teinds and others particularly set forth above; freely, quietly, fully, wholly, honourably, well and in peace, without any revocation, challenge, impediment or obstacle whatsoever. PAYING yearly the said provost, baillies, councillors and community of the said burgh of Aberdeen to us and our successors for the said town and lands of Pitmedden, salmon fishing, teinds and others above named, the sum of six pounds usual money of the kingdom of Scotland, at two terms in the years, the feasts, to wit, of Pentecost and St. Martin in winter, by two equal portions; and to the six scholars of the said college yearly after their presentation, as said is, eighty-four bolls of victual, current measure, half meal, half malt, viz., to each of the said six students fourteen bolls of the foresaid victual, good and sufficient stuff, of grain growing on the said lands of Pitmedden yearly, at the terms of payment of rent used and wont; as well as paying for the said teinds to the parson of Kinkell and his successors, having right thereto, the sum of eight pounds money of Scotland annually at the feast of St. Martin in winter; and also to the minister actually serving the cure in

hyeme Ac etiam ministro Curam actualiter ad ecclesiam de Dyce seruiente quatuor bollas victualium nempe duas farine et duas pollenti sufficientis mercimonii ad festum purificationis vulgo Candilmes nūcupaï et deliberando dictam rectoriam de Kinkell pñtem et suos successores ab omnibus taxationibus de dictis decimis exigendis noïe feudifirme tantum pro omni alio onere exactione questione vel deuoria que de dictis terris aliisq; suprascriptis exigi poterit quomodolibet vel requiri PROVISO etiam quod non licebit dictis preposito balliuus consilio et communitati dicti burgi de Abirdene pñtibus aut futuris predictas decimas garbales ad vllum alium vsum quam pro sustentatione dictorum sex studiosorum applicare et si in contrarium fecerint hec pñs mortificatio dictarum decimarum nulla erit æaq; ad rectoriam de Kinkell cuius olim pars fuerant revertentur IN CUIUS REI testimonium huic pñti carte nr̃e Magnum Sigillum apponi precepimus TESTIBUS (vt in aliis cartis consimilis date precedeñ) Apud Edinburgum Vigesimo die Mensis Augusti Anno Dñi Millesimo Sexcentesimo Decimo-septimo Annis regni nr̃i Quinquagesimo primo et Decimo quinto

the church of Dyce four bolls of victual, two meal, two malt, sufficient stuff, at the feast of the Purification, commonly called Candlemas, and freeing the said present parsonage of Kinkell and his successors from all taxes levied on the said teinds in name of feufarm only; for all other burden, exaction, question or duty could in any be exacted or demanded from the said lands and others above written. PROVIDING also that it shall not be lawful for the said provost, baillies, councillors and community of the said burgh of Aberdeen, present or to come, to apply the foresaid teind sheaves to any other use than for the maintenance of the said six scholars, and if they shall act otherwise this present mortification of the said teinds shall be null, and the same shall revert to the parsonage of Kinkell, of which they had formerly been part. IN WITNESS WHEREOF we have ordered our great seal to be appended to this present charter. WITNESSES (as in other charters of same date).* At Edinburgh, the twentieth day of the month of August in the year of our Lord one thousand six hundred and seventeen, and in the years of our reign the fifty-first and fifteenth.

* Recorded in *Registrum Magni Sigilli.*

XLV.

CAROLUS Dei gratia magne Britannie Francie et Hybernie Rex fideiq; defensor OMNIBUS Probis hominibus Totius terre sue clericis et laicis Salutem SCIATIS Quia dilectus noster Magister Patritius Dwne medicine Doctor ac Primarius novi collegii Abredoneñ emit et acquisivit sibi in vitali redditu pro omnibus sue vite dieb⁹ et post ejus obitum tunc destinaẽ et destinand ad pios vsus via mortificationis per ipsum nominand quovis tempore ante ejus decessum TOTAS et integras terras et villam de Ferriehill tam solarem quam vmbralem dimidietatem cum lie ailhouss et smiddiecroftis earundem cum molendino terris molendinariis multuris et sequelis cumq; omnibus et singulis domibus edificiis hortis toftis croftis teneñ tenañ libere teneñ servitiis partibus pendiculis et pertineñ suis quibuscunq; jaceñ infra parochiam de Sanct Machar et vicecomitatum nostrum de Abirdeine TENEÑ DE NOBIS et successoribus nr̃is hereditarie in feudifirma Et que olim de priore et conventu Sancte trinitatis de Abirdein tente fuerunt pro añua solutione

XLV.

King Charles I. confirms to the provost, baillies, etc., a grant made (3rd August, 1631), by Master Patrick Dun, of the lands of Ferryhill, for the maintenance of teachers in the Grammar School. 20th July, 1633.*

CHARLES, by the grace of God King of Great Britain, France, and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. Know ye that our beloved Master Patrick Dun, doctor of medicine and principal of the new College of Aberdeen, did buy and acquire, for himself in liferent for all the days of his life, and then after his death destined and to be destined to pious uses by way of mortification to be named by himself at any time before his death, ALL and whole the lands and town of Ferryhill, as well the sunny as the shady half, with the alehouse and smithy crofts thereof, with the mill, mill lands, multures and sequels, and with all and sundry houses, buildings, yards, tofts, crofts, tenants, tenandries, services of free tenants, parts, pendicles and their pertinents whatsoever, lying within the parish of St. Machar and our shire of Aberdeen; TO BE HELD OF US and our successors, heritably in feufarm, and which were formerly held of the prior and convent of the Holy Trinity of Aberdeen for an annual payment of the sum of twenty pounds usual money of

* See the Charter by Patrick Dun, *postea*.

sum̃e viginti librarum vsualis monete hulus regni nostri Scotie ad duos anni terminos festa viz̃ pentecostes et sancti Martini in hyeme per equales portiones prout in carta et infeofamento fact̃ et concess̃ per Patritium Hepburne Apud molendinum de Ess[lemont] hereditarium proprietarum dict̃ ꝑrarum molendini aliorumq; predict̃ cum avisamento et consensu Magistri Willielmi Hepburne apud molendinum de Abirdour ejus fratis germani et Duncani Wilsone burgeñ burgi nostri de Abirdein pro se ipso ac onus in se suscipieñ pro Georgio et Willielmo Wilsones ejus filiis ltimis et per ipsos omnes vnamini consensu et assensu prefato Magistro Patritio Dwne in vitali redditu Et postea ad pios vsus per ipsum destinañ et mortificañ quovis tempore durante sua vita de data Apud Abirdene quarto die mensis Junii anno domini millesimo sexcentesimo vigesimo nono cum precepto sasine in eadem carta contento et sasina desuper sequuta latius continetur Et similit̃ dictus Magister Patritius Dwne jamdudum acquisivit sibi suisq; heredibus assignatis subtenentibus et adjutoribus a principali com̃une procuratore et reliquis membris nr̃i collegii de Abirdene et a diacono ecclesie cathedralis ejusdem vnam assedationem decimarum garbalium dictarum ꝑrarum de Ferriehill et ꝑrarum molendinariarum cum toftis croftis partibus

this our kingdom of Scotland at two terms of the year, the feasts, to wit, of Pentecost and St. Martin in winter, by equal portions, as is more fully set forth in the charter and infeftment made and granted by Patrick Hepburne, at the Mill of Esslemont, heritable proprietor of the said lands, mill and others aforesaid, with advice and consent of Master William Hepburne, at the Mill of Aberdour, his brother german, and of Duncan Wilson, burgess of our burgh of Aberdeen, for himself, and taking the burden on himself for George and William Wilson, his lawful sons, and all for themselves, with unanimous consent and assent, to the foresaid Master Patrick Dun, in liferent, and afterwards for pious uses to be destined and mortified by himself at any time during his life; dated at Aberdeen the fourth day of the month of June in the year of our Lord one thousand six hundred and twenty-nine, with the precept of sasine contained in the same charter, and the sasine thereupon following. And likewise the said Master Patrick Dun did long since acquire for himself and his heirs, assignees, subtenants and helpers, from the principal, common procurator and remanent members of our College of Aberdeen, and from the deacon of the Cathedral Church thereof, an assedation of the teind sheaves of the said lands of Ferryhill and mill lands, with the tofts, crofts, parts, pendicles and pertinents

pendiculis et pertineñ earundem pro omnibus diebus vite dicti principalis et pro spatio quinque annorum post ejus decessum pro ānua solutione quinquaginta mercarum mo^te hujus regni nr̃i Scotie ad dictum terminum Sancti Martini In quaquidem assedatione dicti Magistri et membra dicti collegii astrinxerunt et obligaverunt se ipsos et suos succ̃ores post expirationem dicte assedationis subscribere et tradere dicto Mag̃ro Patritio Dwne et suis predict̃ vnam novam assedationem dict̃ decimarum garbalium debite extensam pro vita titulatoris pro tempore representañ diaconum de Abirdene et pro spatio quinque annorum post ejus decessum Et sic a nova assedatione ad alteram novam assedationem toties quoties dicte assedationes expirabunt pro perpetuo omnibus temporibus affuturis pro solutione dicte ānue divorie quinquaginta mercarum Ac sub conditionibus et provisionibus in dicta assedatione latissime specificat̃ prout eadem facta finita et perfecta per modum contractus de data Apud dictum nr̃m Collegium de Abirdein vigesimo octavo die mensis Maii vltimo elapsi anno domini millesimo sexcentesimo trigesimo tertio etiam latius proportat QUEM AD MODŪ secundum dictam hereditariam dispositionem dict̃ ꝟrarum de Ferriehill aliorumq; predict̃ et jus dict̃ decimarum garbalium earundem per dict̃

thereof, for all the days of the life of the said principal and for the space of five years after his death, for a yearly payment of fifty merks money of this our kingdom of Scotland at the said term of St. Martin; In which assedation the said masters and members of the said College bound and obliged themselves and their successors after the expiry of the said assedation to subscribe and deliver to the said Master Patrick Dun and his foresaids a new assedation of the said teind sheaves duly extended for the life of the titular for the time being representing the deacon of Aberdeen and for the space of five years after his death; and thus from new assedation to other new assedation, as often as the said assedations shall expire, for ever in all time to come, for payment of the said yearly duty of fifty merks; and under conditions and provisions specified at length in the said assedation, as the same was made, finished and completed by the nature of the contract dated at our said College of Aberdeen the twenty-eighth day of the month of May bypast in the year of our Lord one thousand six hundred and thirty, more fully sets forth. WHEREBY, according to the said heritable disposition of the said lands of Ferryhill and others aforesaid, and the right to the said teind sheaves thereof conquest and acquired by the said

magrum Patritium Dwne vt supra conquest et acquisit dictus magister Patritius per ejus tras mortificationis per ipsum fact et subscript de data tertio die mensis augusti anno domini millesimo sexcentesimo trigesimo primo declaravit notumq, et manifestum fecit ejus voluntatem penes mortificationem dict trarum et decimarum earundem fore pro sustentatione quatuor ludimagistrorum in schola gramaticali predict burgi nostri de Abirdein pro perpetuo omnibus temporibus affuturis ET ad hunc effectum dictus Magister Patritius Dwne ad honorem dei omnipotentis et pro benificio ecclesie et reipublice dedit concessit disposuit et pro perpetuo mortificavit preposito ballivis consulibus et comunitate dicti burgi nri de Abirdene et eorum succoribus prepositis ballivis consulibus et comunitati ejusdem omnibus temporibus affuturis pro sustentatione dictorum quatuor ludimagistrorum in eorum schola gramaticali modo et sub conditionibus ac cum clausulis provisionibus et limitationibus in eadem mortificatione content TOTAS et integras dictas villam et terras de Ferriehill cum molendino tris molendinariis multuris et sequelis earundem cum dictis lie ailhouss et Smyddie croftis domibus edificiis hortis toftis croftis tenen tenan libere tenen servitiis partibus pendiculis et pertinen vna cum dictis decimis garbalibus earun-

Master Patrick Dun as above, the said Master Patrick, by his letters of mortification made and subscribed by himself, of date the third day of the month of August in the year of our Lord one thousand six hundred and thirty-one, did declare and make known and manifest his will in the said mortification of the said lands and teinds thereof to be for the maintenance of four teachers in the grammar school of our foresaid burgh of Aberdeen for ever in all time to come; AND to this effect the said Master Patrick Dun, to the honour of Almighty God and for the benefit of the church and the commonwealth, did give, grant, dispone and for ever mortify to the provost, baillies, councillors and community of our said burgh of Aberdeen and their successors, provosts, baillies, councillors and community thereof in all time to come, for the maintenance of the said four teachers in their grammar school in manner and under the conditions and with the clauses, provisions and limitations contained in the said mortification, ALL and whole the said town and lands of Ferryhill, with the mill, mill lands, multures and sequels thereof, with the said alehouse and smithy crofts, houses, buildings, yards, tofts, crofts, tenants, tenandries, services of free tenants, parts, pendicles and pertinents, together with the said teind sheaves thereof, included with

dem cum trunco inclusis jaceñ vt supra Teneñ de nobis et succ̃oribus nostris nunc imediatis superioribus dict̃ ꝑrarum virtute acti nr̃i ānexationis ꝑrarum ecclesiasticarum huius regni nostri Scotie patrimonio corone nostre In puram et perpetuam elemosinam ac in feudifirmā pro ānua solutione feudifirme in dicta carta conten̄ modo et forma latissime in dictis ꝑris mortificationis specificat̃ et conten̄ prout eedem litere mortificationis de data predict̃ in libris nostri consilii et sessionis pro meliore preservatione earundem inserte et reg̃rate decimo octavo die mensis Iulii instantis anno domini millesimo sexcentesimo trigesimo tertio etiam latius proportant ET NOS maxime volentes atq; curam habentes corroborare ratificare et approbare premissa Necnon alios incitare ad hujusmodi bonam resolutionem et propositum IGITUR cum avisamento et consensu predilecti et confisi nr̃i consanguinei et consiliarii Willielmi comitis de Mortoun Domini Dalkeyth et Abirdour etc nr̃i magni thesaurarii computorum rotulatoris collectoris generalis seu novarum nr̃arum augmentationum ther̃ii infra hoc regnum nr̃m Scotie Ac etiam predilecti nr̃i et confisi consanguinei et consiliarii Ioannis Comitis de Traquair dn̄i de Lintoun et Caberstoun nr̃i deputati in dictis officiis necnon reliquorum dn̄orum et aliorum nr̃i scaccarii dicti regni

the stock, lying as above: To be held of us and our successors now immediate superiors of the said lands by virtue of our act of annexation of the church lands of this our kingdom of Scotland to the patrimony of our crown, in pure and perpetual alms, and in feufarm, for a yearly payment of feuduty contained in the said charter, in manner and form most fully specified and contained in the said letters of mortification, as the same letters of mortification of date aforesaid, inserted and registered, for the better preservation thereof, in the books of our Council and Session on the eighteenth day of the month of July now current in the year of our Lord one thousand six hundred and thirty-three, do more fully set forth. AND WE, earnestly desiring, and paying heed to, the confirmation, ratification and approbation of the foresaid, as also to the inducing of others to the like resolution and design, have THEREFORE, with advise and consent of our well-beloved and trusty cousin and councillor, William, Earl of Mortoun, Lord Dalkeith and Aberdour, etc., our high treasurer, comptroller, collector-general or treasurer of our new annexations within this our kingdom of Scotland, and also of our well-beloved and trusty cousin and councillor, John, Earl of Traquair, Lord of Lintoun and Caperstoun, our depute in the said offices, as well as of the remanent lords and

nr̃i Scotie nostrorum com̃issionariorum RATIFICAVIMUS approbavimus et hac pr̃nti carta nr̃a confirmavimus tenoreq; ejusdem Ratificamus approbamus ac pro nobis et successoribus nr̃is pro perpetuo confirmamus dictam cartam infeofamentum et jus dict̃ ꝓrarum et decimarum per dict̃ Mag̃rum Patritiū vt supra conquest̃ et acquisit̃ vnacum dicta mortificatione per ipsum desuper fact̃ et concess̃ de datis et contentis resp̃iue supra expressis In omnibus et singulis suis capitibus clausulis conditionibus circumstantiis et provisionibus resp̃iue et secundum formas et tenores hujusmodi ET VOLUMUS ac concedimus et pro nobis et succ̃oribus nostris decernimus et ordinamus quod pr̃ns hec nostra Ratificatio et confirmatio est et erit adeo bona valida sufficiens et effe prefato Magistro Patritio Dwne durante sua vita et post ejus decessum dictis preposito ballivis consulibus et com̃unitati dicti burgi nr̃i de Abirdeine et eorum succ̃oribus pro erectione stabilitione et conservatione dicte mortificationis ac pro fruitione gavisione et possessione dict̃ ꝓrarum et decimarum ad vsum predict̃ ad quem date et mortificate sunt Ac si dicta carta assedatio decimarum et mortificatio hujusmodi et earum quelibet verbatim et per expressum in hac pr̃nti confirmatione nr̃a specialit̃ expresse et inserte fuissent Non obstañ eadem Quocirca

others our commissioners of our exchequer of our said kingdom of Scotland, RATIFIED, approved, and by this our present charter confirmed, and by the tenor thereof do ratify, approve, and for us and our successors for ever confirm the said charter, infeftment and right of the said lands and teinds conquest and acquired by the said Master Patrick as above, together with the said mortification made and granted thereupon by him, of dates and contents respectively above set forth, in all and sundry their heads, clauses, conditions, circumstances and provisions respectively, and according to the forms and tenors thereof. AND WE WILL and grant, and for us and our successors decree and ordain, that this our present ratification and confirmation is and shall be as good, valid, sufficient and effective to the said Master Patrick Dun during his lifetime, and after his death to the said provost, baillies, councillors and community of our said burgh of Aberdeen and their successors, for the erection, establishment and preservation of the said mortification and for the benefit, enjoyment and possession of the said lands and teinds for the use aforesaid to which they were given and mortified; as if the said charter, assedation of teinds and mortification thereof, and each of these, verbatim and at length, were specially inserted and set forth in this our present confirmation, notwithstanding

et cum omnibus aliis defectubus objectionibus et imperfectionibus quibuscunq; que contra jus dict̃ ꝯrarum et decimarum nunc vt supra mortificat̃ allegari aut proponi poterunt nos cum consensu predict̃ pro nobis et succ̃oribus nr̃is dispensavimus tenoreq; pñtis carte nr̃e dispensamus in perpetuum IN CUIUS REI testimonium huic pñti carte nr̃e confirmationis magnum sigillum nr̃m apponi precepimus TESTIBUS predilectis nr̃is consanguineis et consiliariis Iacobo Marchione de Hamiltoun Comite Arraine et Cantabrigie Domino Aven et Innerdaill etc Georgio Comite de Kinnowle vicecomite de Dupline Dño Hay de Kynfawins dicti regni nr̃i Scotie magno Cancellario Willielmo Mariscalli comite Dño Keyth et Altrie ejusdem regni nostri mariscallo Thoma Comite de Hadintoun Dño Bynning et Byris nr̃i secreti sigilli custode Willielmo Comite de Stirling vicecomite de Cannada Dño Alexander de Tulliebodie nr̃o secretario principali Dilectis nr̃is familiaribus consiliariis Dominis Ioanne Hay de Laud nr̃orum rotulorum reg̃ri ac consilii clerico Georgio Elphingstoun de Blythiswood nr̃e justitiarie clerico et Ioanne Scott de Scottistarvett nr̃e Cancellarie directore militibus Apud Halyruidhous vigesimo die mensis Iulii anno Domini millesimo sexcentesimo trigesimo tertio et regni nr̃i anno Nono

[the omission] of the same, wherewith, and with all other defects, objections and imperfections whatsoever, that could be alleged or brought forward against the right to the said lands and teinds now as above mortified, we with consent aforesaid, for us and our successors, have dispensed, and by the tenor of our present charter do dispense, for ever. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter of confirmation. WITNESSES: Our well-beloved cousins and councillors, James, Marquis of Hamilton, Earl of Arran and Cambridge, Lord Avon and Innerdaill, etc.; George, Earl of Kinnoul, Viscount Duplin, Lord Hay of Kinfauns, High Chancellor of our said kingdom of Scotland; William, Earl Marischal, Lord Keith and Altrie, Marischal of our said kingdom; Thomas, Earl of Haddington, Lord Binning and Byres, Keeper of our Privy Seal; William, Earl of Stirling, Viscount of Canada, Lord Alexander of Tulliebodie, our Chief Secretary; our beloved familiar councillors, Sir John Hay of Laud, Clerk of our Rolls, Register and Council; Sir George Elphinston of Blythswood, our Justice Clerk; and Sir John Scott of Scotstarvet, Director of our Chancery, Knights. At Holyrood House, the twentieth day of the month of July in the year of our Lord one thousand six hundred and thirty-three, and of our reign the ninth.

XLVI.

Carolus Dei gratia Magne Britannie Francie et Hibernie Rex fideiq; Defensor OMNIBUS probis hominibus totius terre sue clericis et laicis Salutem SCIATIS NOS (exacta provecta nr̃a etate et revocatione nostra tum speciali tum generali in parliamento eque ac extrafacta pluribus his annis preterita) recolentes antecessores nr̃os illustrissimos memorie non moriture burgum de Aberdene (qui est de antiquissimis et illustrissimis qui sunt in hoc regno nr̃o Scotie burgis) in liberum et regium burgum erexisse ipsisq; prefecto Ballivis consiliariis burgensibus et communitati eiusd̃ eorumq; successoribus eundem burgum cum nonnullis terris hereditatibus tenementis domiciliis structuris molendinis piscationibus privilegiis libertatibus et immunitatibus eidem spectañ et pertineñ per valida infeofamenta jura et securitates ipsis eorumq predicessoribus desuper fact̃ et concess̃ dedisse et concessisse prout in iisdem latius habetur juxta que d̃ti prefectus Ballivi consiliarii burgeñ et communitas d̃ti nr̃i burgi eorumq; predicessores tenent et tenuerunt d̃tum burgum

XLVI.

King Charles I. confirms the privileges granted to the burgh by his predecessors. 9th September, 1638.

CHARLES, by the grace of God King of Great Britain, France and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE THAT WE—(having these many years bypast attained our full age, and having made, thereto and beyond, our revocation both special and general in parliament), calling to mind that our most illustrious ancestors, of immortal memory, erected the burgh of Aberdeen (which is one of the most ancient and most illustrious burghs in this our kingdom of Scotland) into a free and royal burgh, and gave and granted to the provost, baillies, councillors, burgesses and community thereof, and their successors, the same burgh, with several lands, heritages, tenements, houses, buildings, mills, fishings, privileges, liberties, and immunities, belonging and pertaining thereto, by valid infeftments, rights and securities made and granted thereupon to them and their successors, as is set forth at greater length in the same, according to which the said provost, baillies, councillors, burgesses and community of our said burgh, and their predecessors, hold and have held in all time past the said burgh, lands, mills, fishings, and others per-

ꝓras molendina piscationes aliaq; eidem pertineñ libertates et privilegia eiusd̄ omni tp̄re preterito vnde et ex erectione eiusdem burgi in burgum liberum et regium et dotatione cum libertatibus et privilegiis antedict̄ prefatum burgum virtute industria et cura proborum virtuteq; preditorum ipsius incolarum facta est civitas populosa humanitate et fama celeberrima supra alios quoscunq; burgos et civitates in boreali parte dicti nr̄i regni plurimum elevata Queq; ad hospitium et alimentum subditis nr̄is (in conventionibus anni terminis aliisq; tam publicis q^m privatis consiliis et conventionibus ibid̄ habitis) suppeditandum abunde sufficit que deniq; oppressos nr̄os subditos ex partibus borealibus et montanis iuxta d̄tum burgum jaceñ cum huc venerint vt in asylo propugnare admodum valeat adeo vt civilitate proba gubernatione et cura magistratuum dicti burgi ipse florentissimus evasit maximo incolarum aliorumq; circumcirca subditorum nr̄orum commodo quorum liberi educationem in literis artibus et vocationibus omnis generis copiosam habent NOS IGITUR sollicti magis vt indies vigeat d̄tus burgus et amplientur et dilatentur ipsius redditus libertates et securitates eidem et predicessoribus fact̄ quam vt quovis modo minuantur cum speciali avisamento

taining thereto, the liberties and privileges thereof; whence, and from the erection of the said burgh into a free and royal burgh, and the endowment thereof with liberties and privileges aforesaid, the aforesaid burgh, through the virtue, industry, and diligence of the worthy and virtuous citizens thereof, has become a populous city, most famous for learning and repute, much extolled above any other burghs or cities whatsoever in the northern part of our said kingdom; and which affords abundant supply for the lodging and entertainment of our subjects (at the term meetings and at other councils and meetings held there, both public and private); which, in fine, is well able to defend as in a sanctuary our oppressed subjects when they resort thither from the northern and highland parts lying near the said burgh; so that by the culture, good government, and diligence of the magistrates of the said burgh, the same has become most flourishing, to the very great advantage of the inhabitants and our other subjects thereabout, whose children haye ample education, in letters, arts, and callings of all kinds—WE THEREFORE, being desirous rather that the said burgh should flourish from day to day, and that the rents, liberties, and securities granted thereto and to the predecessors should be increased and extended, than that they should in any way be diminished, with the special advice and consent of our well-beloved and most

et consensu predilecti et fidelissimi nr̃i consanguinei et consiliarii Joannis Comitis de Traquair Dn̄i Lintoun et Caberstoun principalis nr̃i thesaurarii computorum rotulatoris et collectoris dicti regni nr̃i Scotie novarumq; nr̃arum augmentationum the^rii necnon fidelis nostri consiliarii Domini Jacobi Carmichaell de eodem Militis Baronetti nr̃i deputati in iisdem officiis ac reliquorum Dn̄orum et aliorum nr̃orum commissionariorum nr̃i Scaccarii eiusdem regni nr̃i RATIFICASSE approbasse et hac pn̄ti carta nr̃a confirmasse tenoreque eiusdem ratificare approbare ac pro nobis et successoribus nr̃is pro perpetuo confirmare CARTAM factam datam et concessam per quond charissimum patrem nr̃um JACOBUM Dei gratia Magne Britannie Francie et Hibernie Regem memorie non morituræ cum avisamento et consensu sui principalis the^rii thesaurarii deputati et reliquorum Dn̄orum sui secreti consilii commissionariorum suorum pro tp̃re sub eius magno sigillo de data apud Falkland decimo septimo die mensis Julii anno Dn̄i millesimo sexcentesimo decimo septimo per quam d̄tus quondam noster charissimus pater cum avisamento et consensu supred̄to pro causis inibi contentis non solum ratificavit approbavit et confirmavit omnes et singulas cartas infeofamenta sasine

trusty cousin and councillor, John, Earl of Traquair, Lord Linton and Caberston, our high treasurer, comptroller and collector for our said kingdom of Scotland, and treasurer of our new augmentations, as also of our trusty councillor Sir James Carmichael of that ilk, baronet, our depute in the same offices, and of the remanent Lords and others our Commissioners of our Exchequer of the same our kingdom, HAVE RATIFIED, approved, and by this our present charter confirmed, and by the tenor thereof do ratify, approve, and for us and our successors for ever confirm, a CHARTER * made, given and granted by our umquhile dearest father JAMES, by the grace of God King of Great Britain, France, and Ireland, of immortal memory, with advice and consent of his high treasurer, treasurer depute, and remanent Lords of his Privy Council, his commissioners for the time under his great seal, dated at Falkland the seventeenth day of the month of July, in the year of our Lord one thousand six hundred and seventeen: Whereby our said umquhile dearest father, with advice and consent aforesaid, for causes therein contained, not only ratified, approved, and confirmed all and sundry charters, infeftments, precepts of sasine, instruments, confirmations, acts, sen-

See No. XLIII., p. 110.

precepta instrumenta confirmationes acta sententias decreta donationes exemptiones iura titulos securitates literas scripta evidentias concessiones libertates commoditates immunitates et privilegia inibi mentionat facť concessº vel confirmatť per dictť quondᵈ nr̃um charissimū patrem suosqꝫ illustrissimos predicessores Reges et Reginas Scotie vel per eorum gubernatores Regentes aut Dominos sessionis pro tp̃re prefato burgo nr̃o de Aberdene preposito Ballivis senioribus decanis gilde thesaurariis conciliariis burgensibus et cõitati eiusdem ecclesiisqꝫ ministris et hospitiis lie hospitalls suisqꝫ successoribus cujuscunqꝫ forme vel formarum contente vel contentarum date vel datarum rex̃tiue eedem sunt Et specialiter absqꝫ preiudicio g̃nalitatis antedictť particulares cartas infeofamenta confirmationes decreta donationes exemptiones acta scripta evidentias aliaqꝫ specialiter et particulariter in dicta carta mentionatť concessiones donationes privilegia libertates et immunitates rex̃tiue inibi contenta cum õibus et singulis aliis cartis infeofamentis concessionibus donationibus privilegiis immunitatibus iuribus parliamentorum actis conventionibus g̃nalibus secreti consilii sententiis et decretis datť et concessº per ᵈtum quondᵈ nr̃um charissimum patrem eiusqꝫ illustrissimos progenitores vel per aliqᵐ aliam personam aut personas Ad et in favorem Prepositi

tences, decreets, gifts, exemptions, rights, titles, securities, letters, writs, evidents, grants, liberties, advantages, immunities, and privileges therein mentioned, made, granted, or confirmed by our said umquhile dearest father, and by his most illustrious predecessors, Kings and Queens of Scotland, or by their governors, regents, or Lords of Session for the time, to our foresaid burgh of Aberdeen, the provost, senior baillies, deans of guild, treasurers, councillors, burgesses and community thereof, and to the churches, ministers, and hospitals, and their successors, of whatsoever form or forms, content or contents, date or dates, respectively the same are; and especially, without prejudice of the generality aforesaid, the particular charters, infeftments, confirmations, decreets, gifts, exemptions, acts, writs, evidents, and others specially and particularly mentioned in the said charter, the grants, gifts, privileges, liberties, and immunities respectively therein contained, with all and sundry other charters, infeftments, grants, gifts, privileges, immunities, rights, acts of parliament, general conventions, sentences and decreets of Privy Council, given and granted by our said umquhile dearest father and by his most illustrious ancestors, or by any other person or persons, to and in favour of the provost, senior baillies, councillors and community of our said

seniorum Ballivorum consiliariorum et cõitatis dict burgi nri de Aberdene pro tpre suorumq; predicessorum et succorumq; quorumcunq; de erectione eiusd nri burgi in libero burgo regio cum õibus iuribus titulis et privilegiis ad eund spectañ et incumbeñ per leges et consuetudinem dti regni nri Scotie cumq; õibus ꝑris tenementis forrestis sylvis moris marresiis cõitatibus aquis salmonū piscationibus molendinis astrictis multuris castris pratis lacubus montibus viridariis munitoriis lie Blockhouss anchoragiis custumis lie bell customes aliisq; custumis ponderibus lie tron weghtes mensuris et aliis proficuis casualitatibus et divoriis quibuscunq; que per prius ad dtum burgum nrum de Aberdene pertinuerunt et que illi eorumve predicessores vel authores quovis tpre retroacto possidebant et vtebantur SED ETIAM dtus quond noster charissimus pater cum consensu predict de novo dedit concessit erexit et disposuit prefatis Preposito Ballivis consiliariis burgeñ et cõitati dicti burgi nri de Aberdene suisq; successoribus imperpetuū TOTUM et integrum dtum burgum de Aberdene cum precinctu muris fossis lie fousies portubus viis plateis passagiis õibusq; et singulis domibus edificiis hortis tenementis croftis acris et rudis ꝑrarum infra ꝑritorium dicti nri burgi Et similiter omnes et singulas terras comunes ad dtum burgum nrum

burgh of Aberdeen for the time being, and their predecessors and successors whatsoever, concerning the erection of our said burgh into a free royal burgh, with all rights, titles, and privileges thereto belonging and pertaining according to the laws and custom of our said kingdom of Scotland, and with all lands, tenements, forests, woods, moors, marshes, commonties, waters, salmon fishings, mills, astrict multures, castles, meadows, lochs, hills, links, blockhouses, anchorages, bell customs and other customs, tronweights, measures, and other profits, casualties and duties whatsoever, which formerly pertained to our said burgh of Aberdeen, and which they or their predecessors or authors possessed and used at any time past: BUT ALSO our said umquhile dearest father, with consent aforesaid, of new gave, granted, erected and disponed to the foresaid provost, baillies, councillors, burgesses and community of our said burgh of Aberdeen and their successors for ever, ALL and whole the said burgh of Aberdeen, with the precinct, walls, fousies, havens, ways, streets, passages, and all and sundry houses, buildings, yards, tenements, crofts, acres and roods of land, within the territory of our said burgh; and likewise all and sundry common lands belonging and pertaining to our said burgh, with all moors, marshes, meadows, parts, pendicles and

spectañ et pertineñ cum õibus moris marresiis pratis partibus pendiculis et pertineñ ab antiquo forrestum de Stoket nuncupaẗ cumq, sylva eiusd infra limites merchias et bondas hũmõi prout eedem per dicẗ Prepositum Ballivos consules et cõitatem tunc occupabantur et possidebantur et ānuatim equitari et perambulari vtebantur TOTAS et integras terras de Rubbislaw TOTAS et integras ᵱras de Cruiffes cum toftis croftis domibus edificiis partibus pendiculis et pertineñ earund TOTAS et integras aquas de Die et Done et salmonū piscarias earund infra et per integras bondas partes et limites hũmõi prout eedem tunc per đtum Prepositum Ballivos consules et cõitatem eorumq, tenentes et servos occupabantur et possidebantur Et nominatim salmonū piscarias super đtis aquis de Die et Done spẽaliter et particulariᵱ in đta carta mentionaẗ et expresš infra bondas merchias et limites et possesš modo in eadem carta specificaẗ vna cum õibus et singulis casis lie Scheills et Insches infra et supra dicẗ aquas de Die et Done Ac cum privilegio et libertate edificandi casas lie Scheills trahendi spargendi et arefaciendi retas ex vtrisq, lateribus dicẗ aquarum reẍtiue sicuti đtus burgus noster Prepositus Ballivi consules et cõitas eiusd suiq, predicessores possessores et occupatores dicẗ piscationum perprius in vsu et possessione fuerunt

pertinents of old called the Forest of Stocket, and with the wood thereof, within the limits, marches and bounds thereof, as the same were then occupied and possessed, and in use to be ridden and walked by the said provost, baillies, councillors and community; ALL and whole the lands of Rubislaw; ALL and whole the lands of Cruives, with the tofts, crofts, houses, buildings, parts, pendicles and pertinents thereof; ALL and whole the waters of Dee and Don, and the salmon fishings thereof, within and through the whole bounds, parts and limits thereof, as the same were then occupied and possessed by the said provost, baillies, councillors and community, and their tenants and servants; and the salmon fishings on the said waters of Dee and Don, specially and particularly mentioned and set forth by name in the said charter, within the bounds, marches and limits, and possessed in the manner specified in the same charter, together with all and sundry sheills and inches within and upon the said waters of Dee and Don; and with privilege and liberty to build sheills, to draw, spread, and dry nets on both sides of the said waters respectively, as our said burgh, the provost, baillies, councillors and community thereof, and their predecessors, possessors and occupiers of the said fishings, were formerly in use and possession; as also with

Necnon cum privilegio et libertate tenendi et habendi cymbas lie ferrie boatts vnam vel plures super ðtas aquas de Die et Done et in quibuscunq; locis et partibus earund pro transportatione nr̃orum leigiorum et subditorum bonorumq; et bestiarum vbi ðti Prepositus Ballivi et consules anteðti nostri burgi designabunt et ipsis visum fuerit cum õibus divoriis feodis et commoditatibus ðtis cymbis spectañ incumbentibus ÕIA et singula cõia molendina ðti burgi viz̃ Duo molendina infra ðtum burgum nr̃um superiora et inferiora molendina nuncupat̃ alia duo molendina extra ðtum burgū nr̃um lie Justice Mylnes nuncupat̃ et duo alia molendina jaceñ infra libertatem ðti burgi nr̃i vnum eorund novum molendinum nuncupat̃ super Buksburne et aliud novum molendinū nuncupat̃ super torrentem lie Denburne et ventimolam apud Gallowgaitheid dicti nr̃i burgi cum multuris et sequelis dict̃ molendinorum õium granorum super õibus et singulis croftis acris et ℞ris cõitatis ðti burgi nr̃i et infra libertatem et ℞ritorium eiusd̃ cresceñ et õium granorum ad burgenses et inhabitatores dict̃ burgi nr̃i spectañ et pertineñ focum et aquam infra eund̃ patieñ TOTUM et integrum montem castri lie Castel hill viridariū lie Greine pratum et subvrbem vocat̃ Futtie cum capella ejusd̃ õibusq; cymbis et piscationibus alborum piscium eisd̃ spectañ cumq; navium statione

privilege and liberty to hold and have ferry boats, one or more, on the said waters of Dee and Don, and in any places and parts thereof whatsoever, for carrying our lieges and subjects, and goods and beasts, where the said provost, baillies and councillors of our aforesaid burgh shall appoint and see fit, with all duties, fees and advantages belonging and pertaining to the said ferry boats; ALL and sundry common mills of the said burgh, namely: two mills within our said burgh called the Upper and Nether Mills, two other mills outwith our said burgh called the Justice Mills, and two other mills lying within the freedom of our said burgh, one thereof called the New Mill on Buxburn, and the other called the New Mill on the Denburn, and the Windmill at the Gallowgatehead of our said burgh, with the multures and sequels of the said mills from all grain growing on all and sundry the crofts, acres and lands of the community of our said burgh, and within the freedom and territory thereof, and from all grain belonging and pertaining to the burgesses and inhabitants of our said burgh, tholing fire and water within the same; ALL and whole the Castlehill, Green Meadow, and suburb called Futtie, with the chapel thereof, and all boats and fishings of white fish

portu propugnaculo et littore ðti burgi aqueductibus et passagiis eiusd̃ libertatibus et privilegiis hũmõi spẽaliter in ðta carta mentionaĩ VNA CUM TOTIS et integris custumis lie bell-customes aliisq̃ custumis et toloniis pti nr̃i burgi vsitaĩ et consueĩ cum ponderibus lie tron-weᵗ ðti burgi nr̃i feodis et divoriis eisdem spectañ cumq̃ õibus aliis ponderibus et mensuris libertatibus privilegiis et immunitatibus ad ðtum burgum nr̃um spectañ ET SPECIALITER quasdam libertates privilegia et immunitates in ðta carta mentionaĩ D̃tum burgum nr̃um et gubernationem ejusd̃ concerneñ per quam cartam antedicĩ etiam dantur conceduntur et disponuntur memoratis Preposito Ballivis consulibus et cõitati dicĩ burgi nostri de Aberdene suisq̃ successoribus omnes et singuli annui redditus feudifirme annue divorie alteragia terre piscationes tenementa domus crofte et capellanie que ab antiquo ad capellanos Sᵗⁱ Nicolai ecclie parochialis Aberdoneñ spectabant cum õibus tenementis croftis mansionibus lie daill silver et āniversariis quibuscunq̃ que perprius ad quascunq̃ capellanias et alteragia in quacunq̃ ecclia capellania [capella? *v.* p. 178, l. 4] vel collegio infra libertatem ðti burgi nr̃i de Ab̃d pertinuerunt per quamcunq̃ personam vel patronum fundaĩ vbicunq̃ eidem infra ðtum regnū nr̃m Scotie

belonging thereto, and with the station for ships, haven, block-house, and shore of the said burgh, milldams and channels thereof, the liberties and privileges thereof specially mentioned in the said charter; TOGETHER WITH ALL and whole the bell customs and other customs and tolls of our said burgh, used and wont, with tron weights of our said burgh, fees and duties belonging thereto, and with all other weights and measures, liberties, privileges and immunities belonging to our said burgh; AND ESPECIALLY certain liberties, privileges and immunities mentioned in the said charter, concerning our said burgh and the government thereof; By which charter aforesaid are also given, granted and disponed to the said provost, baillies, councillors and community of our said burgh of Aberdeen and their successors, all and sundry annual rents, feu-duties, annual duties, altarages, lands, fishings, tenements, houses, crofts, chaplainries, which from of old belonged to the chaplains of the Parish Church of Saint Nicholas of Aberdeen, with all tenements, crofts, dwelling-houses, daillsilver, and anniversaries whatsoever, which formerly pertained to any chaplainries and altarages whatsoever, in any church, chapel, or college whatsoever, within the freedom of our said burgh of Aberdeen, by whatsoever person or patron founded, wheresoever the same lie within our said

jacent aut quovis tp̃re preterito levari seu percipi solebant NECNON tota et integra mansio domus edificia horti et eccl̃ia que perprius ad Franciscanos d̃ti burgi nr̃i pertinuerunt ET SIMILITER cōmunis lacus eiusd̃ burgi per omnes bondas et partes hũmōi et montes vocat̃ Womanhill Playfeild St Katherineshill Heidingishill et Gallowhill cum campis et viridariis d̃ti burgi lie Linkes nuncupat̃ prout eidem jacent in longitudine et latitudine inter ostium fluvii lie Wattermouth d̃te aque de Die ad ostium fluvii lie Wattermouth dict̃ aque de Done cum tenen̄ tenañ libereq, tenen̄ servitiis omnium et singularum predict̃ terrarum et piscationū cum partibus pendiculis et pertinen̄ earund̃ vna etiam cum ōibus et singulis aliis libertatibus immunitatibus iuribus et privilegiis quibuscunq, d̃to burgo nr̃o spectañ et incumben̄ et quorum dict̃ Prepositus Ballivi Senatus et cōitas eiusd̃ burgi suive predicessores quovis tp̃re preterito in possessione fuerunt AC ETIAM cum tam amplissimis et magnis privilegiis et immunitatibus sicuti burgis nr̃is de Edinbur[t] Perth Dundie vel aliquibus aliis burgis regiis infra d̃tum regnū nr̃um Scotie per d̃tum quond̃ charissimū nr̃um patrem suosve antecessores quovis t̃pre preterito dicm date antedict̃ carte precedeñ concedebantur Et Vnivit ānexavit et Incorporavit ad et cum d̃to burgo

kingdom of Scotland, or whensoever in time past they were wont to be uplifted or gathered; AS ALSO all and whole the dwelling place, house, buildings, yards and church which formerly pertained to the Franciscans of our said burgh; AND LIKEWISE the common loch of the same burgh by all the bounds and parts thereof, and the hills called Womanhill, Playfield, St. Katherine's Hill, Heading Hill, and Gallow Hill, with the fields and greens of the said burgh, called the Links, as the same lie in length and in breadth between the watermouth of the said water of Dee and the watermouth of the said water of Don; with tenants, tenandries and services of free tenants of all and sundry the foresaid lands and fishings, with the parts, pendicles and pertinents thereof, and with all and sundry other liberties, immunities, rights and privileges whatsoever belonging and pertaining to our said burgh, and of which the said provost, baillies, council and community of the same burgh or their predecessors have been in possession at any time past; AND ALSO with as full and great privileges and immunities as were granted to our burghs of Edinburgh, Perth, Dundee, or to any other royal burghs within our said kingdom of Scotland, by our said umquhile dearest father or his ancestors at any time past, preceding the day of the date of the aforesaid charter: And he united, annexed

nr̃o de Aberdene libertatibus et privilegiis eiusd̃ ões et singulas predict̃ tras acras croftas tras communes molendina multuras piscac̃nes castrum lacum pratum montes viridarium propugnaculum lie Bulwark anchoragia tolonias custumas lie Bell customes pondera et mensuras lie trone-weghtes et measoures ānuos redditus mansiones domos hortos aliaq; ḡnaliter et particulariť supra express cum privilegio dandi sasinam hũmõi apud Crucem foralem d̃ti burgi nr̃i preposito vel alicui Ballivorum eiusdum Que sasina stabit et sufficiens fore ordinatur d̃tis Preposito Ballivis consulibus et cõitati dicti burgi nr̃i pro toto et integro d̃to burgo õibusq; et singulis terris domibus edificiis aliisq; spẽaliter et ḡnaliter inibi mentionat̃ modo et forma inibi express TENENĎ per dict̃ Prepositum Ballivos Senatum et Cõitatem d̃ti burgi nostri de Aberdene suosq; successores in feodo hereditate et libero burgagio imperpetuum prout d̃ta carta de data prescript̃ in se latius proportat Cum precepto sasine et sasine instrumento desuper sequeñ et cum acto dissolutionis fact̃ in Parliamento tent̃ apud Edinburgh vigesimo octavo die mensis Junii anno Dñi millesimo sexcentesimo decimo septimo cui acto carta supra mentionat̃ relationem habet et desuper fundatur et conceditur

and incorporated to and with our said burgh of Aberdeen, the liberties and privileges thereof, all and sundry the foresaid lands, acres, crofts, common lands, mills, multures, fishings, castle, loch, meadow, hills, green, bulwark, anchorages, tolls, bell customs, tron weights and measures, annual rents, dwelling-places, houses, yards, and others, generally and particularly set forth above, with privilege to give sasine thereof at the market cross of our said burgh, to the provost or any one of the baillies thereof; which sasine shall stand, and is ordained to be sufficient, to the said provost, baillies, councillors and community of our said burgh, for all and whole the said burgh and all and sundry lands, houses, buildings and others, specially or generally therein mentioned, in manner and form therein set forth; TO BE HELD by the said provost, baillies, council and community of our said burgh of Aberdeen, and their successors, in fee, heritage and free burgage for ever, as the said charter of date above written in itself at greater length purports: With the precept of sasine and instrument of sasine following thereon, and with the act of dissolution made in the parliament held at Edinburgh on the twenty-eighth day of the month of June, in the year of our Lord one thousand six hundred and seventeen; to which act the charter above mentioned relates, and is thereupon founded and granted:

ET SIMILITER cum õibus et singulis aliis cartis infeofamentis preceptis sasine instrumentis confirmationibus actis sententiis decretis donationibus exemptionibus iuribus titulis securitatibus ſris scriptis evidentiis concessionibus libertatibus commoditatibus immunitatibus et privilegiis inibi mentionatis factis concessis vel confirmatis per nobilissimos nr̃os predicessores quond WILLIELMUM REGEM Scotie quond ALEXANDRUM REGEM secundum quondam ALEXANDRUM REGEM tertium quond ROBERTUM REGEM primum quond DAVIDEM REGEM eius filium quondam ROBERTUM REGEM secundum quond ROBERTUM REGEM tertium quond JACOBUM REGEM primum quondam JACOBUM REGEM secundum quond JACOBUM REGEM tertium quond JACOBUM REGEM quartum quondam JACOBUM REGEM quintum quondam MARIAM REGINAM eius filiam et ďtum quond nr̃um charissimū patrem JACOBUM REGEM sextum optime memorie vel per eorum aliquos aut per aliquos alios eorum predicessores Reges et Reginas Scotie vel per eorum Regentes Gubernatores aut Dños sessionis pro tp̃re prefato burgo nr̃o de Aberdene Preposito senioribus Ballivis Decanis gilde thes̃aurariis consulibus burgensibus et inhabitatoribus ďti burgi nr̃i eccl̃iisq; ministris et hospitiis lie hospitalls eiusd burgi suisq; successoribus cujuscunq; forme aut formarum contente aut contentarum date aut datarum eedem sunt de et super

AND LIKEWISE with all and sundry other charters, infeftments, precepts, instruments of sasine, confirmations, acts, sentences, decreets, gifts, exemptions, rights, titles, securities, letters, writs, evidents, grants, liberties, advantages, immunities and privileges therein mentioned, made, granted, or confirmed by our most noble predecessors, umquhile WILLIAM, KING of Scotland, umquhile KING ALEXANDER II., umquhile KING ALEXANDER III., umquhile KING ROBERT I., umquhile KING DAVID, his son, umquhile KING ROBERT II., umquhile KING ROBERT III., umquhile KING JAMES I., umquhile KING JAMES II., umquhile KING JAMES III., umquhile KING JAMES IV., umquhile KING JAMES V., umquhile QUEEN MARY, his daughter, and our said umquhile dearest father KING JAMES VI. of excellent memory, or by any of them, or by any others their predecessors, kings and queens of Scotland, or by their regents, governors, or lords of session for the time being; to our foresaid burgh of Aberdeen, the provost, senior baillies, deans of guild, treasurers, councillors, burgesses and inhabitants of our said burgh, and to the churches, ministers and hospitals of the same burgh, and their successors, of whatsoever form or forms, content or contents, date or dates,

erectione ꝺti burgi nr̃i de Aberdene in libero burgo regio cum õibus iuribus titulis et privilegiis eidem per leges et praxsin dicti regni nr̃i Scotie spectanꝺ et incumbenꝺ ac cum õibus domibus ꝺris tenementis forrestis silvis moris marresiis communitatibus aquis salmonum piscationibus molendinis astrictis multuris castris pratis lacubus montibus viridariis propugnaculis anchoragiis minutis custumis lie Bell customes aliisq; custumis ponderibus et mensuris lie weghtes and measoures proficuis casualitatibus et divoriis quibuscunq; que perprius ad ꝺtum burgum nr̃um pertinuerunt Et que per dict̃ Prepositum Ballivos Senatum et Cõitatem suosve predicessores aut authores quovis t̃pre preterito possidebantur et vtebantur ET VOLUM^{9} et concedimus et pro nobis nr̃isq; successoribus cum avisamento et consensu predict̃ decernimus et ordinamus quod predict̃ gn̄alitas minime dirogabit spc̃alitatem nec specialitas gn̄alitatem Et quod hec pñs nr̃a confirmatio et ratificatio premissorum est et omni t̃pre affuturo erit tanti valoris roboris efficacie et effectus in õibus respectibus dicto burgo nr̃o de Aberdene Preposito Ballivis Consulibus et Cõitati eiusdem suisq; succ̃oribus ac si dicta carta cum sasine precepto et acto dissolutionis supramentionat̃ omnesq; et singule alie carte infeofamenta dispositiones concessiones confirma^{o}nes jura tituli et

the same are; of and regarding the erection of our said burgh of Aberdeen into a free royal burgh, with all rights, titles and privileges thereto belonging and pertaining by the laws and practice of our said kingdom of Scotland, and with all houses, lands, tenements, forests, woods, moors, marshes, commonties, waters, salmon fishings, mills, astrict multures, castles, meadows, lochs, hills, links, blockhouses, anchorages, petty customs, bell customs, and other customs, weights and measures, profits, casualties and duties whatsoever, which formerly pertained to our said burgh, and which at any time past were possessed and used by the said provost, baillies, council and community, or their predecessors or authors. AND WE WILL, and grant, and for us and our successors, with advice and consent aforesaid, we decree and ordain that the foresaid generality shall in no way detract from the speciality, or the speciality from the generality; and that this our present confirmation and ratification of the premises is, and in all time to come shall be, of as much force, strength, efficacy and effect in all respects to our said burgh of Aberdeen, the provost, baillies, councillors and community thereof, and their successors, as if the said charter, with the precept of sasine and the act of dissolution above mentioned, and all and sundry other charters, infeft-

securitates decreta exemptiones lre scripta acta evidentie donationes libertates commoditates immunitates privilegia aliaq; particularit et ḡnaliter inibi mentionat ad longum de verbo in verbum in hac pñti carta nr̃a insererentur (non obstañ ratione multitudinis numeri longitudinis et prolixitatis hũmõi eedem in hac pñti carta nr̃a minime insererentur) penes que nos pro nobis et successoribus nr̃is dispensavimus ac per pñtis carte nostre tenorem dispensamus imperpetuũ INSUPER (absq; lesione derogatione aut preiudicio antedict prioribus cartis infeofamentis iuribus decretis actis titulis libertatibus privilegiis et aliis particularit et ḡnaliter supra express et pro majori corroboratione earund accumulando iura iuribus) nos pro bono fideli et gratuito servitio nobis nobilissimisq; nr̃is progenitoribus per Prepositum Ballivos Senatum et Cõitatem dicti nr̃i burgi de Aberdene suosq; predicessores prestito et impenso et vt in posterum in dicto servitio melius persistent DE NOVO dedimus concessimus ereximus disposuimus et hac pñti carta nr̃a confirmavimus tenoreq; eiusdem cum avisamento et consensu predict damus concedimus erigimus disponimus et hac pñti carta nr̃a confirmamus dilectis et fidelibus nr̃is servitoribus Preposito Ballivis Consulibus burgensibus et

ments, dispositions, grants, confirmations, rights, titles and securities, decreets, exemptions, letters, writs, acts, evidents, gifts, liberties, advantages, immunities, privileges, and others, particularly and generally mentioned therein, were inserted at length, word by word, in this our present charter (notwithstanding that by reason of the multitude, number, length, and prolixity thereof, the same have not been inserted in this our present charter), wherewith we, for us and our successors, have dispensed, and by the tenor of our present charter do dispense, for ever. MOREOVER (without hurt, disparagement or prejudice to the foresaid former charters, infeftments, rights, decreets, acts, titles, liberties, privileges, and others particularly and generally set forth above, and, in further corroboration thereof, heaping rights upon rights), in return for the good, faithful and gratuitous service done and rendered to us and to our most noble ancestors by the provost, baillies, council and community of our said burgh of Aberdeen, and their predecessors, and in order that hereafter they may the better persist in the said service, we have OF NEW given, granted, erected, disponed, and by this our present charter confirmed, and by the tenor thereof, with advice and consent aforesaid, do give, grant, erect, dispone, and by this our present charter confirm, to our beloved and trusty servants the provost, baillies, councillors, burgesses, and

Cõitati dict burgi nr̃i de Aberdene suisq; succ̃oribus TOTUM et integrum pred̃tum burgum nr̃um de Aberdene cum precinctu muris fossis portubus viis plateis passagiis õibusq; et singulis domibus edificiis hortis tenementis croftis acris et ꝑris infra ꝑritorium et libertatem eiusd̃ burgi nr̃i Et similit̃ omnes et singulas predict̃ terras communes ad d̃tum nr̃um burgum spectañ et pertineñ cum õibus moris marresiis pratis partibus pendiculis et pertineñ ab antiquo forrestam de Stokett vocat̃ cum sylva eiusd̃ infra limites merchias et bondas hũmõi prout eedem pro pñte possidentur et occupantur et ānuatim per dict̃ Prepositum Ballivos Senatum et coitatem equitari et perambulari solent Totas et integras predict̃ terras de Rubslaw Totas et integras predict̃ ꝑras de Cruiffes cum toftis croftis domibus edificiis partibus pendiculis et pertineñ earund̃ Totas et integras predict̃ aquas de Die et Done cum salmonum piscariis earund̃ infra et per integras bondas partes et limites hũmõi prout eidem pro pñti per dict̃ Prepositum Ballivos Senatum et Cõitatem suosq; tenentes et servitores possidentur et occupantur Et spẽaliter pred̃tas salmonũ piscarias supra dict̃ aqua de Die vocat̃ lie Raik Stellis Midchingill Pott et Fuirds ex vtrisq; lateribus anted̃te

community of our said burgh of Aberdeen, and their successors, ALL and whole our foresaid burgh of Aberdeen, with the precinct, walls, foussies, havens, ways, streets, passages, and all and sundry houses, buildings, yards, tenements, crofts, acres and lands within the territory and freedom of our same burgh; and likewise all and sundry the foresaid common lands belonging and pertaining to our said burgh, with all moors, marshes, meadows, parts, pendicles and pertinents, from of old called the Forest of Stocket, with the wood of the same, within the limits, marches and bounds thereof, as the same are at present possessed and occupied, and in use to be yearly ridden and walked by the said provost, baillies, council and community; all and whole the foresaid lands of Rubislaw; all and whole the foresaid lands of Cruives, with the tofts, crofts, houses, buildings, parts, pendicles and pertinents thereof; all and whole the foresaid waters of Dee and Don, with the salmon-fishings of the same, within and through the whole bounds, parts and limits thereof, as the same are at present possessed and occupied by the said provost, baillies, council and community, and their tenants and servants; and especially the foresaid salmon-fishings on the said water of Dee, called the Raik, Stells, Midchingle, Pot and Foords, on both sides of the foresaid

aque et vt predict piscarie distinguantur absq; aliis distincte cognoscantur sicuti etiam jacent et bondantur ab ostio fluvii lie Bar et Wattermouth dict nri burgi de Aberdene ad aquam lie Bridgewater apud pontem de Die olim ad Williel[mū] Forbes de Barnes spectañ et pertineñ Nec non salmonū piscationem super aqua de Done vocat King's Cavill antedte aque de Done tam supra q[m] infra pontem ciusd cum oībus et singulis salmonum piscariis de lie Cruiffes prout dta piscaria et lie cruves rextiue bondantur et jacent ab ostio fluvii lie watter mouth dte aque de Done ad torrentem vocat cruif burne cum oībus et singulis aliis salmonū piscariis aliisq; piscariis quibuscunq; supra dict aquas de Die et Done et per omnes bondas et limites earund rextiue supra express ad dtum burgum nrum spectañ et incumbeñ et vt illi suiq; predicessores casd possidere solebant ac cum oībus aliis piscariis tam salmonū q[m] alborum piscium in aqua salsa seu mari int dta ostia fluviorum lie mouthes de Die et Done et apud dict ostia fluviorum antedict aquarum ex vtrisq; lateribus earund Ac etiam cum oībus et singulis casis et lie insches et scheils infra et super dict aquis de Die et Done cumq; libertate ac privilegio edificandi casas lie scheills et scheillings et trahendi dispergendi et arefaciendi

water, and as the foresaid fishings are distinguished and distinctly known from each other, as the same lie and are bounded from the bar and watermouth of our said burgh of Aberdeen to the Bridge Water at the Bridge of Dee formerly belonging and pertaining to William Forbes of Barnes; as also the salmon-fishing on the Water of Don called the King's Cavill of the foresaid water of Don, both above and below the bridge thereof, with all and sundry the salmon-fishings of the Cruives, as the said fishing and the Cruives respectively are bounded and lie from the watermouth of the said water of Don to the stream called the Cruive Burn, with all and sundry other salmon-fishings and other fishings whatsoever on the said waters of Dee and Don, and through all the bounds and limits thereof respectively set forth above, belonging and pertaining to our said burgh, and as they and their predecessors were wont to possess the same, and with all other fishings, as well of salmon as of white fish, in the salt water or sea between the said mouths of Dee and Don, and at the said mouths of the foresaid waters, on both sides thereof; and also with all and sundry inches and sheils within and upon the said waters of Dee and Don, and with liberty and privilege to build sheils and sheilings, and to draw, spread and

retas ex vtrisq; lateribus dict̃ aquarum tam super viis nr̃is q^{m} super aliis commodissimis locis et partibus prope dict̃ aquas sicuti d̃tus burgus noster suiq; predicessores possessores et occupatores dict̃ piscariarum easdem perprius possidebant et gaudebant Nec non cum libertate et privilegio habendi cymbas lie ferrie boates vnam vel plures super d̃tis aquis de Die et Done ad ostia fluviorum lie watter mouthes de Die et Done vbi habent proprias piscarias pro transportatione liegiorum et subditorum nr̃orum eorumq; bonorum et bestiarum vt ipsis visum fuerit cum õibus divoriis feodis et commoditatibus d̃tis cymbis lie ferrie boates spectañ et incumbeñ Omnia et singula pred̃ta communia molendina d̃ti burgi nr̃i de Aberdene viz̃ predicta duo molendina infra eund̃ burgum vocat̃ superius et inferius molendina alia duo molendina extra d̃tum burgum nr̃m vocat̃ lie Justice Mylnes et alia duo molendina jaceñ infra libertatem d̃ti burgi nr̃i vnum eorum novum molendinū nuncupat̃ super torrentem lie Bucksburne et alterum novum molendinum nuncupat̃ super torrentem lie Denburne cum dicto ventimolo apud dict̃ lie Gallowgaitheid dicti burgi nr̃i Necnon tota et integra duo molendina maritima lie Schoir et sea mylnes noviter edificata et constructa per dict̃ Prepositum Ballivos Senatum et Coïtatem anted̃ti burgi nr̃i

dry nets on both sides of the said waters, both upon our highways and upon other most convenient places and parts near to the said waters, as our said burgh and their predecessors, possessors and occupiers of the said fishings formerly possessed and enjoyed the same; as also with liberty and privilege to have ferry boats, one or more, on the said waters of Dee and Don, at the watermouths of Dee and Don where they have their own fishings, for carrying across our lieges and subjects and their goods and beasts, as they shall see fit, with all duties, fees and advantages belonging and pertaining to the said ferry boats; all and sundry the foresaid common mills of our said burgh of Aberdeen, to wit, the two foresaid mills within the same burgh called the Upper and Nether Mills, other two mills outwith our said burgh called the Justice Mills, and other two mills lying within the freedom of our said burgh, one of these called the New Mill on the Buxburn and the other called the New Mill on the Denburn, with the said windmill at the said Gallowgatehead of our said burgh, as also all and whole two shore or sea mills newly built and erected by the provost, baillies, council and community of our foresaid burgh, since the date of their last infeftment

post datam vltimi eorum infeofamenti supra scripti virtute pñtis carte nr̃e ratificati et approbati cum privilegio et libertate illis edificandi plura molendina ad eorum arbitrium cumq; multuris et sequelis dict̃ molendinorum õium granorum super omnibus et singulis predtis croftis acris et terris communiis dicti burgi nr̃i et infra ̃ritorium et libertatem eiusd̃ crescen̄ õiumq; granorum ad burgenses et inhabitatores eiusdem burgi spectañ et pertineñ vel per illos aliquasve alias personas importat̃ seu importand̃ focum et aquã inibi patieñ Totum et integrum predtum castrum montem viridarium pratum et subvrbem vocat̃ Futtie cum capella eiusd̃ õibusq; cymbis et albis piscationibus huñoi spectañ cumq; dto propugnaculo portu et littore de Aberdene et lie mylne dames et passagiis eiusd̃ Ac cum libertate et privilegio onerandi et exonerandi loading et lossing naves cymbas aliaq; vasa quecunq; in dtis aquis de Die et Done ex vtrisq; lateribus earund̃ in quibuscunq; locis aut partibus et toties quoties visum fuerit prefatis Preposito Ballivis Consulibus et Coĩtati Et similiter levandi et recipiendi omnes minutas custumas anchoragia et lie schoir silver aliasq; divorias tam libere in õibus respectibus sicuti dtus burgus noster de Edinburgh suiq; collectores apud portum et littus de Leith recipiunt et levant et tam libere sicuti eidem per

above written, ratified and approved by virtue of our present charter, with privilege and liberty to them to build more mills at their pleasure, and with the multures and sequels of the said mills from all grain growing on all and sundry the foresaid crofts, acres and common lands of our said burgh and within the territory and freedom thereof, and from all grain belonging and pertaining to burgesses and inhabitants of the same burgh, or imported or to be imported by them or by any other person, tholing fire and water therein; all and whole the foresaid Castlehill, Green Meadow, and suburb called Futtie, with the chapel thereof, and all boats and white fishings belonging thereto, and with the said blockhouse, haven and shore of Aberdeen and the mill dams and channels thereof; And with liberty and privilege to load and loose ships, boats and other vessels whatsoever in the said waters of Dee and Don, on both sides thereof, in any places or parts whatsoever, and as often as shall seem fit to the foresaid provost, baillies, councillors and community; and likewise to uplift and receive all petty customs, anchorages and shore silver, and other dues, as freely in all respects as our said burgh of Edinburgh and its collectors receive and uplift at the haven and shore of Leith,

aliquem alium liberum burgum regium apud quemcunq; portum seu littus infra dtum regnum nr̃um Scotie levantur et percipientur Et spẽaliter cum p̃tate levandi et percipiendi t̃pre futuro summam trium solidorum vsualis mo^te dti regni nr̃i Scotie ex qualibet tunna lie Tunne bonorum exportaī et importaī in quacunq; nave cymba vel aliqua vasa infra dtum portum et stationem de Aberdene pro reparatione edifa^one et sustenta^one antedti propugnaculi lie Bulwark applicand sicuti dicī Prepositus Ballivi Senatus et Coïtas suiq; collectores eadem his multis annis retroactis fruebantur et possidebant Nec non totas et integras predtas custumas vocaī lie Bell customes dti burgi nr̃i minutas custumas tolonias et alias custumas vsitaī et consueī cum ponderibus lie Trone weghtes dti burgi nr̃i feodis et divoriis iisdem spectañ cumq; õibus aliis ponderibus et mensuris libertatibus privilegiis et ĩmunitatibus ad dtum burgum nr̃um aliqualiī pertineñ et spectañ Ac etiam cum p̃tate libera curias infra dtum burgum nr̃um t̃ritorium et libertatem eiusd tenendi pro administra^one justicie et delinquentium et transgressorum punitione secundū qualitatem suorum dilictorum legibus et praxi dti regni nr̃i Scotie conforme Et exitus amerciamenta et eschaetas dtarum curiarum

and as freely as the same are uplifted and gathered by any other free royal burgh at any haven or shore whatsoever within our said kingdom of Scotland; and especially with power to uplift and gather in all time coming the sum of three shillings usual money of our said kingdom of Scotland from every tun of goods exported or imported in any ship, boat or other vessel whatsoever within the said haven and station of Aberdeen, for the repair, building and upholding of the bulwark thereof, as the said provost, baillies, council and community and their collectors have enjoyed and possessed the same these many years past; as also all and whole the foresaid customs called the bell customs of our said burgh, the petty customs, tolls and other customs used and wont, with the tron weights of our said burgh, fees and duties belonging thereto, and with all other weights and measures, liberties, privileges and immunities in any way pertaining and belonging to our said burgh; and also with free power to hold courts within our said burgh, the territory and freedom thereof, for the administration of justice and the punishment of delinquents and transgressors, according to the nature of their offences, conform to the laws and practice of our said kingdom of Scotland, and [to uplift] the issues, fines and escheats of the said courts with

cum bludewitis toties quoties contigerint tam infra ďtum burgum nr̃um libertatem et ṫritorium eiusdem q^{m} infra portum et stationem et fluxum maris lie floodemark ďti burgi et infra dict̃ aquas de Die et Done in partibus earundem Quarum preďte piscarie virtute p̃ntis carte nr̃e disponantur Et dict̃ exitus eschaetos amerciamenta et bludewitas ad vtilitatem et commodum ďti burgi nr̃i applicandi Ac etiam cum speciali p̃tate privilegio et libertate dict̃ Preposito Ballivis Consulibus et burgeñ gilde ďti burgi nr̃i suisq^{b} succ̃oribus imperpetuū vtendi frequentandi et exercendi negotia°nem mercaturam et cōmercium et emendi et vendendi in magnis et minutis vinum ceram lie wad pelles coria õiaq^{b} alia genera mercimoniorum et bonorum tam ďti regni nr̃i Scotie q^{m} aliarum nationū quarumcunq^{b} extranearum non solum infra ďtum burgum nr̃m territorium et libertat̃ eiusď sed etiam intra per et pre [*sic*] integras bondas et limites vice^{tus} nr̃i de Aberdene tam intra Regalitatem q^{m} regalem vel regium Nec non tenendi et habendi imperpetuū infra ďtum burgum et libertatem eiusď gildriam mercatoriam cum gilde curiis consiliis membris et iurisdictionibus huñoi incumbeñ Exitus et eschaetas dict̃ curiarum levandi et percipiendi similiter adeoq^{b} libere in õibus respectibus et per õia sicuti in similibus

bloodwits as often as they shall occur, both within our said burgh, the freedom and territory thereof, and within the haven and station and floodmark of our said burgh, and within the said waters of Dee and Don, in the parts thereof where the foresaid fishings are disponed by virtue of our present charter, and to apply the said issues, escheats, fines and bloodwits to the utility and advantage of the said burgh; and also with special power, privilege and liberty to the said provost, baillies, councillors and burgesses of guild of our said burgh and their successors for ever, to use, resort to, and exercise business, traffic and commerce, and to buy and sell in great and small quantities, wine, wax, wad, skins, hides and all other kinds of merchandise and goods both of our said kingdom of Scotland and of any other foreign nation whatsoever, not only within our said burgh, the territory and freedom thereof, but also within and through the whole bounds and limits of our sheriffdom of Aberdeen, within both the regality and the royalty; as also to hold and have for ever within the said burgh and the freedom thereof a Merchant Guildry, with guild courts, councils, members and jurisdictions pertaining thereto, to uplift and gather the issues and escheats of the said courts, in like manner and as freely in all respects, and through all things, as in like cases is

per nos nr̃osve predicessores alicui alio libero burgo regio infra d̃tum reg̃um nr̃m Scotie conceditur cumq; õibus et singulis aliis libertatibus et immunitatibus per leges hum̃oi dict̃ negotiaonibus commerciis mercaturis gilde curiis et burse spectañ seu iuste spectare valeñ Et similit̃ tenendi habendi vtendi exercendi et fruendi infra d̃tum burgum nr̃um hebdomadatim duo publica fora lie mercatis viz̃ die Mercurii et die Saturni Secundum consuetudinem vsitatum et consuetum Cum quatuor liberis nundinis ānuatim inchoañ teneñ et continuañ in dict̃ burgo Quarum prima ad festum Pentes Secunda ad festum Ste trinitatis
Tertia ad festum sancti Michaelis ac quarta et vltima ad festum sancti Nicolai Quarum nundinarum singule durabunt per spatium octo dierum Ac etiam cum libertate et p̃tate edificandi et construendi plura molendina tam ventimola qm granorum et fullonum molendina infra d̃tum burgum libertatem et p̃ritorium eusd̃ Et locandi et assedandi hum̃oi partes dict̃ p̃rarum suarum com̃ni d̃te forreste de Stoket que hactenus non assedantur et locantur ad vtilitatem et commodum d̃ti burgi nr̃i per assedationes longas vel infeofamenta feudifirme pro soluone feudifirmarum precipiendo mandando et inhibendo õibus personis tam regalitati q regali (burgensibus gilde d̃ti burgi nr̃i de

granted by us or our predecessors to any other free royal burgh within our said kingdom of Scotland, and with all and sundry other liberties and immunities belonging, or that can justly belong by the laws thereof, to the said business, commerce, traffic, guild courts and merchant court; and likewise to hold, have, use, exercise and enjoy within our said burgh every week two public markets, to wit, on Wednesday and on Saturday, according to the custom used and wont, with four free fairs yearly, to be begun, held and continued in the said burgh, whereof the first at the Feast of Pentecost, the second at the Feast of the Holy Trinity, the third at the Feast of St. Michael, and the fourth and last at the Feast of St. Nicolas, every one of which fairs shall last for the space of eight days; and also with liberty and power to build and erect more mills, as well windmills as grain and fulling mills within the said burgh, the freedom and territory thereof; and to let and set such parts of their said common lands of the said Forest of Stocket as are not already set and let, for the profit and advantage of our said burgh, by long tacks or infeftments of feufarm, for payment of the feu-duties, enjoining, commanding and forbidding all persons, both in regality and royalty (not being burgesses of guild of our said burgh of Aberdeen), that they do not make bold,

Aberdene mĩe existeñ) vt non presumant vsurpare nec exercere negotiaonem commercium et mercaturam vel quodvis privilegium aut punctum eiusd libero burgo regio incumbeñ infra libertatem et bondas dti burgi et Vicetus nri antedicti sub pena incarcerationis personarum suarum et forisfacture et eschaete bonorum et mercimoniorum suorum vbicunq; apprehendi poterint PRETEREA nos cũ avisamento et consensu predict dedimus et concessimus tenoreq; pntis carte nre pro nobis nrisq; successoribus Damus et concedimus plenam ptatem commissionem et auctatem nram prefatis Preposito Ballivis et Consulibus dti burgi nri de Aberdene suisq; succoribus faciendi et publicandi acta statuta et ordinaones pro cõi bono et proficuo eiusd burgi et defensione privilegiorum in [*sic*] libertatum huñoi per ões burgenses et inhabitatores dti burgi nri omnesq; alias personas ad eundem reparañ et frequentañ observanda sub similibus penis ut ipsis visum fuerit Necnon causandi dta acta statuta et ordinaones cum õibus parliamentorum actis actisq; gñalium conventionũ et secreti consilii cumq; constituonibus burgorum õibusq; suorum propriorum actorum in favorem libertatum eorum dat vel dand debite observari et prosequi et finali exequutione poni infra

within the freedom and bounds of the said burgh and our sheriffdom aforesaid, to usurp or exercise business, commerce and traffic, or any privilege or point thereof, pertaining to a free royal burgh, on pain of imprisonment of their persons, and of forfeiture and escheat of their goods and merchandise, wheresoever they can be seized. FURTHER, with advice and consent aforesaid, we have given and granted, and by the tenor of our present charter, for us and our successors, do give and grant, to the foresaid provost, baillies and councillors of our said burgh of Aberdeen, and their successors, our full power, commission and authority to make and publish acts, statutes and ordinances for the common good and profit of the said burgh, and in defence of the privileges and liberties thereof, to be observed by all burgesses and inhabitants of our said burgh, and by all other persons repairing to and frequenting the same, under like penalties as shall seem fit to them; as also to cause the said acts, statutes and ordinances, with all acts of parliaments, and acts of general conventions and of Privy Council, and with constitutions, of the burghs, and all [provisions] of their own proper acts made or to be made in favour of their liberties, to be duly observed and followed and put to final execution within the freedom and territory of our said burgh of Aberdeen and the sheriff-

libertatem et territoriū ďti burgi nr̃i de Aberdene et Vicetus eiusď predicť Ac etiam cum spc̃ali potestate dicť Preposito Ballivis et consulibus vocandi prosequendi arrestandi et incarcerandi personas delinquentes et contravenientes predicť privilegia acta statuta decreta et sententias et cum eorum bonis intromittendi et eaď bona eschaetandi Quc bona et exitus ita eschaetanď nos pro nobis nr̃isq; successoribus cum avisamento et consensu predicť Damus et concedimꝰ ad communem vsum ďti burgi nr̃i de Aberdene et ad suppeditaᵒnem rerum cōium et operum eiusď cum ōibus exitibus et amerciamentis curiarum quibus ďti delinquentes forsitan incidere contigerint et incurrere ET SIMILITER nos cum avisamento et consensu anteďto dedimus concessimus et disposuimus tenoreq; pr̃tis carte nr̃e damus concedimus et disponimus prefatis Preposito Ballivis Consulibus et Cōitati ďti burgi nr̃i de Aberdene suisq; succc̄oribus omnes et singulas ꝟras domos tenementa hortos tenementa templaria cum omnibus pertineñ earunď iaceñ infra precinctum ďti burgi nr̃i de Aď̃d que perprius ad quascunq; abbacias prioratus preceptorias ministeria capellanias prebendarias alteragia aliaq; beneficia pertinuerunt vna cum integris feudifirmis aliisq; divoriis huñoi omni t̃pre affuturo cum dicto burgo nr̃o tanqm partem eiusď

dom thereof aforesaid; and also with special power to the said provost, baillies and councillors, to summon, prosecute, arrest and imprison persons transgressing and contravening the foresaid privileges, acts, statutes, decreets and sentences, and to intromit with their goods, and to escheat the said goods, which goods and issues so to be escheated we, for ourselves and our successors, with advice and consent aforesaid, do give and grant to the common use of our said burgh of Aberdeen, and for the support of the common affairs and works thereof, with all issues and fines of the courts which the said transgressors shall happen to fall into or incur. AND LIKEWISE, with advice and consent aforesaid, we have given, granted and disponed, and by the tenor of our present charter do give, grant and dispone, to the foresaid provost, baillies, councillors and community of our said burgh of Aberdeen, and their successors, all and sundry lands, houses, tenements, yards, templar tenements, with all the pertinents thereof, lying within the precinct of our said burgh of Aberdeen, which formerly pertained to any abbeys, priories, preceptories, monasteries, chaplainries, prebends, altarages and other benefices whatsoever, together with the whole feu-duties and other duties thereof in all time coming, to remain with and pertain to our said burgh as a part

remanen et pertinen cum ptate dict Preposito Ballivis et Consulibus suisq; successoribus tanq^m Ballivis nris in hac parte intrandi et recipiendi heros vassallos et tenentes earund super resigna^onem vel per servitium et retornatum aut per traditionem fixule et tenelle lie hespe et staple similiter eodemq; modo sicuti illi aliiq; nri regales burgi dti regni nri Scotie inhabitatores heros pro^rios et possessores quarumcunq; trarum et tenementorum infra territorium et precinctum hum̃oi intrare et recipere solent NECNON dedimus et concessimus ac disposuimus tenorcq; pntis carte nre cum avisamento et consensu predict damus concedimus et disponimus prefatis Preposito Ballivis Consulibus et Cõitati suisq; succoribns oes annuos redditus feudifirme firmas et ānuas divorias de predict domibus hortis tenemētis templariis aliisq; tenementis predict debit et solvi solet et consuet cum ptate illis intromittendi et desuper disponendi de oibus annis et tminis futuris et easd ad commune bonū dti burgi nri applicandi AC ETIAM dedimus concessimus et disposuimus tenoreq; pntis carte nre cum avisamento et consensu predto damus concedimus et disponimus prefatis Preposito Ballivis Consulibus et cõitati suisq; successoribus omnes et singulas capellanias alteragia et ānuos redditus perprius ad dict capellanias

thereof; with power to the said provost, baillies and councillors, and their successors, as our baillies in this part, to enter and receive the heritable vassals and tenants thereof, on resignation, or by service and retour, or by delivery of hasp and staple, in like manner as they and our other royal burghs of our said kingdom of Scotland are wont to enter and receive the inhabitants, heritable proprietors and possessors of any lands and tenements whatsoever within the territory and precinct thereof. AND ALSO we have given and granted and disponed, and by the tenor of our present charter, with advice and consent aforesaid, do give, grant and dispone, to the foresaid provost, baillies, councillors and community, and their successors, all annual rents, feu-duties and annual duties due and used and wont to be paid from the foresaid houses, yards, templar tenements, and other tenements aforesaid; with power to them to intromit therewith and dispone thereupon, for all years and terms to come, and to apply the same to the common good of our said burgh. AND ALSO we have given, granted and disponed, and by the tenor of our present charter, with advice and consent aforesaid, do give, grant and dispone, to the foresaid provost, baillies, councillors and community, and their successors, all and sundry chaplainries, altarages and annual

[? capellanos, *v.* p. 162, l. 14] sancti Nicolai antedti ecclie parochialis Abredonensis pertineñ et spectañ cumq; ōibus anniversariis et lie daill silver quibuscunq; que perprius ad quascunq; capellanias prebendarias et alteragia pertinuerunt in quacunq; eccl̃ia capella vel collegio infra libertatem d̃ti burgi nr̃i de Ab̃d per quascunq; personam vel personas fundat vbicunq; jacent infra d̃tum regnum nr̃um vel quocunq; t̃pre preterito levari seu percipi solebant cumq; tota et integra predta mansione loco domibus edificiis hortis et eccl̃ia que perprius ad Franciscanos d̃ti burgi nr̃i pertinuerunt cum ōibus divoriis et redditibus huñoi et ad premissa pertineñ de omnibus annis et terminis futuris Ac cum d̃to lacu cōi antedicti burgi nr̃i infra et per omnes bondas et partes eiusd predtisq; montibus lie Womanhill Playfeild St. Katherines hill Heidinghill et Gallowhill nuncupat̃ cum viridariis et campis lie Linkis d̃ti burgi nr̃i prout jacent in longitudine et latitudine inter ostium fluvii lie Wattermouth de Die ad ostium fluvii lie Wattermouth de Done cum teneñ tenañ libereque teneñ servitiis ōium et singularum predict̃ rarum et piscariarum cum partibus pendiculis et pertineñ earund̃ cumq; ōibus et singulis aliis libertatibus immunitatibus iuribus et privilegiis quibuscunq; ad d̃tum burgum spectañ et incumbeñ et quorum dict̃

rents formerly pertaining and belonging to the said chaplains of our foresaid parish church of Saint Nicolas in Aberdeen, and with all anniversaries and daill silver whatsoever, which formerly pertained to any chaplainries, prebends and altarages whatsoever, in any church, chapel or college whatsoever, within the freedom of our said burgh of Aberdeen, by whatsoever person or persons founded, wheresoever they lie within our said kingdom, or whensoever in time past they were wont to be uplifted or gathered; and with all and whole the foresaid dwelling, place, houses, buildings, yards and church which formerly pertained to the Franciscans of our said burgh, with all duties and rents thereof, and pertaining to the premises, for all years and terms to come; and with the said common loch of our foresaid burgh, within and through all bounds and parts thereof, and the foresaid hills called Woman Hill, Playfield, St. Katherine's Hill, Heading Hill, and Gallow Hill, with the greens and links of our said burgh, as they lie in length and breadth between the watermouth of Dee and the watermouth of Don, with tenants, tenandries and services of free tenants of all and sundry the foresaid lands and fishings, with parts, pendicles and pertinents thereof, and with all and sundry other liberties, immunities, rights and privileges whatsoever, belonging and pertaining to the

Prepositus Ballivi Senatus et Communitas eiusd̄ suiq̄ predicessores quovis t̄pre preterito in usu et possessione fuerunt cumq̄ etiam tam amplissimis et magnis privilegiis ac immunitatibus quam per nos nr̄osq̄ predicessores d̄tis burgis nostris de Edinburgh Perth Dundie aliisq̄ burgis regiis infra d̄tum regnum nostrum Scotie quovis t̄pre preterito diem date p̃ntis carte nr̄e precedeñ dantur conceduntur et disponuntur Cumq̄ omni iure titulo interesse iurisclameo proprietate et possessione quacunq̄ que seu quas nos predicessores vel successores nostri in et ad d̄tum burgum nr̄um de Aberdene terras acras croftas terras communes molendina multuras piscationes castrum lacum pratum montes viridaria propugnacula anchoragia tolonias custumas lie bell customes pondera lie trone weghtes mensuras ānuos redditus mansionem locum domos hortos et eccl̄ias que olim ad dict̄ Franciscanos pertinuerunt aliaq̄ particulariter et g̃ñaliter supra recitat̄ vel ad aliquam partem pendiculum aut portionem earundem census firmas casualitates proficua et divorias huñm̄oi de quibuscunq̄ annis seu t̄minis preteritis aut futuris pro quibuscunq̄ factis causis seu occasionibus preteritis diem date p̃ntis carte nr̄e precedeñ habuimus habemus aut quovis modo in futurum habere clamare aut p̃ndere poterimus aut poterint Renunciando quiete

said burgh, and of which the said provost, baillies, council and community thereof, and their predecessors, were in use and possession at any time past; and also with as full and great privileges and immunities as are given, granted and disponed by us and our predecessors, at any time past preceding the date of our present charter, to our said royal burghs of Edinburgh, Perth, Dundee, and other royal burghs within our said kingdom of Scotland; and with all right, title, interest, claim of right, property and possession whatsoever, which we, our predecessors or successors, had, have, or in any way in time to come may have, claim, or assert, in and to our said burgh of Aberdeen, the lands, acres, crofts, common lands, mills, multures, fishings, castle, loch, meadow, hills, links, blockhouses, anchorages, tolls, bell customs, tron weights, measures, annual rents, dwelling, place, houses, yards and churches which of old pertained to the said Franciscans, and others particularly and generally above recited, or to any part, pendicle or portion thereof, maills, rents, casualties, profits and duties thereof, of any years or terms whatsoever past or to come, for any past deeds, causes or occasions whatsoever preceding the date of our present charter: renouncing, relinquishing, and altogether upgiving the same, with all action,

clamando et simplicit᷑ extra donando eadem cum omni actione instantia et exequutione nobis et successoribus nr̃is eocirca competeñ vel competere valeñ Memoratis Preposito Ballivis Consulibus et Cõitati dicti burgi nr̃i de Aberdene suisq᷒ successoribus pro nunc et imperpetuum cum pacto de non petendo ac cum supplemento õium defectuum obiectionum et imperfectionum quarumcunq᷒ tam non noïatarum q^{m} noïatarum preteritorum pñtium et futurorum quos tanquam pro express᷑ in hac pñti carta nostra haberi volumus penes que nos pro nobis nr̃isq᷒ successoribus dispensavimus ac per pñtis carte nr̃e tenorem dispensavimus [*sic*] imperpetuum PRETEREA ratificavimus approbavimus et hac pñti carta nr̃a confirmavim᷑ Tenoreq᷒ eiusdem ratificamus approbamus ac pro nobis nr̃isq᷒ succ̃oribus pro perpetuo confirmamus ACTUM et statutum dicti burgi nr̃i per d̃tos Prepositum Ballivos Senatum et Cõitatem eiusdem fact̃ vnde statuitur et ordinatur quod nullum mollitum polentum ad forum dicti nr̃i burgi feretur pñtabitur nec venabitur in eodem private vel publice quodquidem actum et statutum est de data vndecimo die mensis Januarii Anno Dn̄i millesimo sexcentesimo vigesimo octavo Et nos perfecte intelligentes quod d̃tum actum et statutum non solum concordat cum actis et statutis omnium burgorum regiorum dicti

instance and execution competent or that can be competent thereanent to us or our successors, in favour of the foresaid provost, baillies, councillors and community of our said burgh of Aberdeen, and their successors, now and forever; with the paction of not requiring, and with the supplement of all defects, objections and imperfections whatsoever, both not named and named, past, present and to come, which we will to be held as set forth in this our present charter, wherewith we, for ourselves and our successors, have dispensed, and by the tenor of our present charter do dispense, forever. FURTHER, we have ratified, approved, and by this our present charter have confirmed, and by the tenor thereof do ratify, approve, and, for us and our successors, for ever confirm, an ACT and statute of our said burgh, made by the said provost, baillies, council and community thereof, whereby it is statute and ordained that no ground malt shall be brought or presented to the market of our said burgh, or sold therein, privately or publicly; which act and statute is dated the eleventh day of the month of January in the year of our Lord one thousand six hundred and twenty-eight; and we, perfectly understanding that the said act and statute not only accords with the

regni nr̃i Sed etiam aptum et necessarium est pro bono et commodo dicti burgi nr̃i IGITUR volumus et ordinamus quod nullum mollitum polentum importabitur nec venabitur infra eundem burgum private vel publice per quascunq; personam vel personas infra libertatem dicti burgi vel extra incolañ sub pena confiscationis cujuscunq; molliti polenti quod importabitur per quascunq; personam vel personas contra tenorem antedicti acti statuti et ordinationis nr̃e predict infra predtum burgum cum potestate dictis Preposito et ballivis confiscandi dtum polentum et huñoi ad eorum vsum applicandi ET NOS CONSIDERANTES quod dictus quondam noster charissimus pater beate memorie per eius infeofamentum supraspecificat ratificavit et disposuit dto burgo nr̃o de Aberdene omnes alias libertates iura et privilegia tam amplas et amplissime quam dtis burgis nr̃is de Edinburt et Perth qui sunt Vicecomites coronatores et pacis Iusticiarii intra se et quod magna est necessitas vt dict burgus noster de Aberdene habeat possideat et fruatur dtis privilegiis et hoc specialiter pro causis et respectibus subsequeñ viz̃ quod dictus burgus noster de Aberdene in Burgum et civitatem copiosam et populosam crevit et devenit in quo magna et quotidiana est mercatura et mercium mutatio

acts and statutes of all the royal burghs of our said kingdom, but is also fit and necessary for the good and advantage of our said burgh, do THEREFORE will and ordain that no ground malt shall be imported or sold within the said burgh, privately or publicly, by any person or persons whatsoever dwelling within or outwith the freedom of the said burgh, under pain of confiscation of any ground malt whatsoever that shall be imported within our said burgh by any person or persons whatsoever against the tenor of the foresaid act, statute, and our ordinance aforesaid; with power to the said provost and baillies to confiscate the said malt and to apply the same to their own use. AND CONSIDERING that our said umquhile dearest father, of blessed memory, by his infeftment above specified, ratified and disponed to our said burgh of Aberdeen all other liberties, rights and privileges as full and as fully as to our said burghs of Edinburgh and Perth, which are sheriffs, coroners and justices of the peace within themselves; and that there is great necessity that our said burgh of Aberdeen should have, possess and enjoy the said privileges, and this especially for the causes and reasons following, to wit, because our said burgh of Aberdeen has grown and become a rich and populous burgh and city, wherein is great and daily traffic and exchange of wares,

magnusq̃ concursus liegiorum et subditorum nr̃orum tam nobilium et generosorum virorum aliorumq̃ incolantiū in partibus borealibus dicti regni nr̃i in ōibus eorum conventionibus aliisq̃ magnis et gravibus rebus quam aliorum c̃ium populorum ad fora nundinas et mercaturam infra d̃tum burgum nr̃um et apud portum eiusdem reparantiū et nōiatim quod dic̃ burgus noster situatur prope montes et montanos in quibus sunt rebelles multi et homines male affecti lie Brokin men qui d̃tum burgum frequentant quiq̃ pugnando et litigando in eodem pacem eiusdem omnesq̃ congregationes t̃timas conventiones et mercaturas liegiorum et subditorum nr̃orum infra eundem perturbant Et quod vicecomites d̃ti vice^{tus} nr̃i de Aberdene infra bondas cuius dictus burgus noster iacet ānuatim de Baronibus et generosis rusticis eligentur qui cum eorum deputatis ruri habitant et pr̃ites omnibus t̃pribus non sunt pro exequutione eorum officiorum iis in hac parte incumbeñ prout de iure congruit vnde d̃tus burgus noster inhabitatores eiusd̃ aliiq̃ leigii nr̃i inibi commorañ graviter perturbantur et preiudicantur IGITUR et pro remedio huñoi proq̃ multis bonis officiis veris et gratuitis servitiis nobis d̃toq̃ quondam nr̃o charissimo patri optime memorie aliisq̃ nr̃is nobilissimis progeni-

and great concourse of our lieges and subjects, both nobles and gentlemen and other dwellers in the northern parts of our said kingdom in all their meeting and other great and weighty affairs, and of other common people repairing to the markets, fairs and traffic within our said burgh, and to the haven thereof; and especially because our said burgh is situated near the hills and mountains, wherein are many rebels and disaffected (broken) men, who frequent the said burgh, and who, by fighting and striving therein, disturb the peace thereof, and all the lawful assemblies, meetings and traffickings of our lieges and subjects within the same; and because the sheriffs of our said sheriffdom of Aberdeen, within the bounds of which our said burgh lies, are chosen yearly from the barons and country gentlemen, who, with their deputes, live in the country, and are not at all times present for the discharge of their duties incumbent on them in this matter, conform to law, whence our said burgh, the inhabitants thereof and others, our lieges dwelling therein, are seriously disturbed and prejudiced: We THEREFORE, both for remedy thereof and in return for the many good offices, true and gratuitous services rendered and performed in times past to us and to our said umquhile dearest father, of excellent memory, and to our other most noble ancestors, by

toribus ẽpribus retroactis per dtos Prepositum et Ballivos dti burgi nr̃i de Aberdene suosq; predicessores prestitis et impensis ac pro diversis aliis magnis respectibus bonis causis et considerationibus nos movẽ ex certa nr̃a scientia proprioq; motu cum avisamento et consensu predict̃ Dedimus concessimus et disposuimus tenoreq; p̃ntis carte nr̃e damus concedimus et disponimus dictis Preposito Ballivis Consulibus et Cõitati dicti burgi nr̃i de Abd suisq; succ̃oribus Prepositis Ballivis Consulibus et Cõitati eiusd̃ imperpetuũ Officia vicecomitis coronatoris et pacis Justiciarii infra dtum burgum nr̃um de Aberdene integrasq; bondas terrarum cõium acrarum croftarum molendinorum aquarum piscariarum montium viridariorum portuũ stationũ viarum platearum passagiorum aliorumq; iisdem pertineñ jaceñ infra precinctum et territorium dti burgi nr̃i cum õibus et singulis libertatibus privilegiis feodis casualitatibus divoriis immunitatibus et commoditatibus ad dta officia Vicetis Coronatoris et pacis Justiciarii de iure et regni nr̃i consuetudine spectañ et incumbeñ ET FECIMUS creavimus constituimus et ordinavimus tenoreq; p̃ntis carte nr̃e cum avisamento et consensu predict̃ facimus creamus constituimus et ordinamus Prepositum dti burgi nr̃i de Aberdene electum et eligendum in perpetuũ VICE-

the said provost and baillies of our said burgh of Aberdeen, and their predecessors, and for divers other weighty reasons, good causes and considerations moving us, from our certain knowledge, and of our own accord, with advice and consent aforesaid, have given, granted and disponed, and by the tenor of our present charter do give, grant and dispone, to the said provost, baillies, councillors and community of Aberdeen and their successors, provosts, baillies, councillors and community thereof for ever, the offices of sheriff, coroner and justice of the peace within our said burgh of Aberdeen, and whole bounds of the common lands, acres, crofts, mills, waters, fishings, hills, links, havens, stations, ways, streets, passages, and others pertaining thereto, lying within the precinct and territory of our said burgh, with all and sundry liberties, privileges, fees, casualties, duties, immunities and advantages belonging and pertaining, by law and the custom of our kingdom, to the said offices of sheriff, coroner and justice of the peace. AND WE HAVE MADE, created, constituted and ordained, and by the tenor of our present charter, with advice and consent aforesaid, do make, create, constitute and ordain, the provost of our said burgh of Aberdeen, chosen and to be chosen for ever, SHERIFF AND CORONER principal, and the baillies of our same burgh

COMITEM et CORONATOREM principalem et Ballivos eiusdem burgi nr̃i electos et eligendos ānuatim Vicetes et Coronatores deputatos conjunctim et divisim sub illo dtosq; Prepositum et Ballivos dti burgi nr̃i ānuatim electos et eligendos conjunctim et divisim omni t̃pre affuturo pacis justiciarios infra dtum burgum ꝟras cōes eiusd aliaq; supra script̃ eod spectañ et incumbeñ imperpetuū cum plena et libera p̃tate illis eorumq; deputatis conjunctim et divisim curiam et curias tam criminales quam civiles toties quoties ipsis visum fuerit infra dtum burgum ꝟras cōes molendina piscarias moras vias plateas passagia aliaq; supra expresse vel super aliqm partem bondarum predict̃ tam contra eorum vicinos burgeñ et inhabitatores dict bondarum qm contra alias personas ad dtum burgum nr̃um de Aberdene et ꝟritorium eiusd resortañ et frequentañ qui pro quacunq; causa crimine aut offenso criminali vel civili per illos infra dict̃ burgum nr̃um bondas et ꝟritorium eiusd vel quamcunq; partem hum̃oi fact̃ et commiss̃ attachiabuntur affigendi affirmandi inchoandi et tenendi et quoties opus fuerit continuandi et predtum officium Vicetis exercendi et vtendi pro quibuscunq; aliis actionibus causis offensis crimine seu criminibus contingeñ contra omnes personas capiend et attachiandas

chosen and to be chosen yearly, sheriffs and coroners depute, conjointly and severally under him; and the said provost and baillies of our said burgh, chosen and to be chosen yearly, conjointly and severally in all time coming, justices of the peace within our said burgh, the common lands thereof and others above written belonging and pertaining thereto, for ever; with full and free power to them and their deputes, conjointly and severally, to fix, sanction, begin and hold, and as often as need be continue, a court and courts, both criminal and civil, as often as shall seem fit to them, within the said burgh, common lands, mills, fishings, moors, ways, streets, passages, and others above set forth, or upon any part of the bounds aforesaid, both against their neighbour burgesses and the inhabitants of the said bounds and against other persons resorting to and frequenting our said burgh of Aberdeen and the territory thereof, who shall be attached for any cause, crime or offence whatsoever, criminal or civil, done and committed by them within our said burgh, the bounds and territory thereof, or any part thereof whatsoever; and to exercise and use the foresaid office of sheriff for any other actions, causes, offences, crime or crimes whatsoever that may happen against all persons to be taken or attached within our said burgh of Aberdeen, the common

infra ðtum burgum nr̃m de Aber̃d r̃as cões molendina piscarias stationem littus vias plateas passagia aliaq; particularit̃ supra recitata ad eund spectañ justitiam administrandi Sectas dict̃ Vicetis curiarum vocandi conveniendi et convincendi absentes amerciandi transgressores delinquentes et offensores comburgensium et inhabitañ aliosq; transgressores et delictores ad mortem vel per exulacõnem flagellacõnem super manū et buccam combustionem aliamve penam in aliquo alio burgo regio vsitatam puniendi secund qualitatem eorum delictorum et legibus ðti regni nostri concordañ membra et administratores ðti vicecomitis curiarum necessaria faciendi creandi et constituendi ex burgensibus ðti burgi nr̃i solūmodo et de nullis aliis extra dict̃ burgum eligendis et imponendis et ðtum officium Vicetis infra dict̃ burgum nr̃m de Aber̃d et bondas eiusd predtas exercendi et vtendi similit̃ adeoq; libere in õibus respectibus sicuti aliquis alius vicecomes infra aliquem alium burgum ðti regni nr̃i idem officium Vicetis in suo burgo exercet ET SIMILITER cum p̃tate dict̃ Preposito et Ballivis ðti burgi nr̃i de Aber̃d suisq; successoribus Prepositis et ballivis eiusd predta officia coronatoris et pacis Justiciarii infra eund burgum integrasq; terras possessiones aquas portum stationem aliasq; partes

lands, mills, fishings, station, shore, ways, streets, passages, and others particularly recited above, belonging thereto; to administer justice; to call, convene and convict the suits of the said sheriff courts; to fine absentees; to punish transgressors, delinquents and offenders of co-burgesses and inhabitants, and other transgressors and criminals, by death, or by banishment, flogging, branding on the hand and cheek, or any other punishment used in any other royal burgh, according to the nature of their crimes, and agreeably to the laws of our said kingdom; to make, create and constitute the necessary members and administrators of the said sheriff courts from out of the burgesses of our said burgh only, and from no others to be chosen and appointed outwith the said burgh; and to exercise and use the said office of sheriff within our said burgh of Aberdeen and the bounds thereof aforesaid, in like manner and as freely in all respects as any other sheriff within any other burgh of our said kingdom exercises the same office of sheriff within his own burgh: AND LIKEWISE with power to the said provost and baillies of our said burgh of Aberdeen, and their successors, provosts and baillies thereof, to use and exercise the foresaid offices of coroner and justice of the peace within the said burgh and whole lands, possessions, waters, haven, station, and other parts thereof above

eorund prescript et integras bondas libertates et tritoriū huñoi cum õibus libertatibus privilegiis immunitatibus et commoditatibus eisd incumbeñ vtendi exercendi similiter adeoq, libere sicuti aliqui alii coronatores et pacis Justiciarii talia officia Coronatoris et pacis Justiciarie in aliquo alio vicetu burgo vel jurisdictione infra dtum regnum nrum vtuntur et exercentur ET SIMILITER nos cum avisamento et consensu predto pro causis suprascript proq, diversis aliis magnis respectibus bonis causis et considerañibus nos moveñ ex certa nra scientia proprioq, motu Dedimus et concessimus tenoreq, pñtis carte nre damus et concedimus plenariam ptatem warrantum et libertatem prefatis Preposito ballivis et consulibus dti burgi nri de Abd suisq, succoribus per semetipsos vel per eorum Decanū gilde aliasve personas quas ānuatim noiabant et constituerint pondera et mensuras lie weghtes mettes and measoures subtus specificat infra bondas antedti burgi nri totiusq, vicetus nri de Aberdene ac infra õia communia fora et nundinas tam burgo qm ruri infra bondas dti burgi et vicetus nri de Abd visitandi inquirendi scrutandi et experiendi AC FECIMUS et constituimus tenoreq, pñtis carte nre cum avisamento et consensu predto facimus et constituimus prefatos Prepositum Ballivos et Senatum dti burgi nri suosq,

written, and whole bounds, freedoms and territory thereof, with all liberties, privileges, immunities and advantages pertaining thereto, in like manner and as freely as any other coroners and justices of the peace use and exercise such offices of coroner and justice of the peace in any other sheriffdom, burgh or jurisdiction within our said kingdom. AND LIKEWISE, with advice and consent aforesaid, for the causes above written, and for divers other weighty reasons, good causes and considerations moving us, from our certain knowledge, and of our own accord, we have given and granted, and by the tenor of our present charter do give and grant, full power, warrant and liberty to the foresaid provost, baillies and councillors of our said burgh of Aberdeen, and their successors, by themselves or by their dean of guild, or other persons whom they shall yearly nominate and appoint, to visit, inspect, search and try the weights, mettes and measures under specified, within the bounds of our foresaid burgh and our whole sheriffdom of Aberdeen, and within all common fairs and markets, both burghal and landward, within the bounds of the said burgh. AND WE HAVE MADE and constituted, and by the tenor of our present charter, with advice and consent aforesaid, do make and constitute the foresaid provost, baillies and council of our said burgh,

succ̃ores visitatores inquisitatores scrutatores et experitores õium mensurarum aliarumq; predict̃ infra bondas d̃ti burgi et Vicetus nr̃i de Abd dando concedendo et cõmittendo illis suisq; succ̃oribus predict̃ plenariam p̃tatem et privilegium notandi et signandi õia vasa mensuras et pondera magna et minuta subscript̃ vulgariter to mark and stamp all firlottes peckes pund-weghtes stane-weghtes elvewandis quart pynt choppin and mutchekin stopes õiaq; alia eñoi cũ signo et sigillo ferreo vel eneo cum leone et corona impressꝰ secund̃ diversas mensuras lie standerts per actum parliamenti nr̃i prescript̃ et constitut̃ et õia feoda et divorias de et pro eisd̃ debit̃ et vsitat̃ percipiendi NECNON cum consensu predt̃o ratificavimus approbavimus et hac p̃nti carta nr̃a confirmavimus tenoreq; p̃ntis carte nr̃e pro nobis nr̃isq; succ̃oribus ratificamus approbamus ac pro perpetuo confirmamus actum secreti concilii fact̃ Apud Halos decimo quinto die mensis Julii anno Dñi millesimo sexcentesimo decimo nono quoquid̃ acto Dñi secreti concilii concluserunt et ordinarunt vnam constantem mensuram pro salmonibus per et pre vniversum regnum nr̃um Scotie solummodo fore et hoc secundum antiqm men-

and their successors, visitors, inspectors, searchers and triers of all measures and others aforesaid within the bounds of the said burgh and our sheriffdom of Aberdeen, giving, granting and committing to them and their successors aforesaid full power and privilege to mark and stamp all vessels, measures and weights, great and small, underwritten, commonly called firlots, pecks, pound weights, stone weights, ell wands, quart, pint, choppin and mutchkin stoups, and all others of that kind, with an iron or brass stamp and seal, with the lion and crown impressed thereon, according to the divers standards prescribed and appointed by act of our parliament; and to gather all fees and duties used and wont therefrom and therefor. AND ALSO, with consent aforesaid, we have ratified, approved, and by this our present charter confirmed, and by the tenor of our present charter, for us and our successors, do ratify, approve and for ever confirm, an act of the Privy Council made at Holyrood House on the 15th day of the month of July in the year of our Lord one thousand six hundred and nineteen,* whereby the Lords of the Privy Council concluded and ordained that there should be only one constant measure for salmon through and over our whole kingdom of Scotland, and that according to the ancient measure commonly called the old

* See the Act of Privy Council, *postea*.

suram vulgo lie auld gadge et Standert de Aŧd decem gallones lie gallones contineñ cum qua mensura ões liegii et subditi nr̃i salmones eorum õi t̃pre futuro recipere et deliberare debent modo forma et sub penis in đto acto nr̃i concilii conten̄ prout đtum actum de data prescript̄ in se latius proportat IN OMNIBUS et singulis suis capitibus punctis clausulis articulis circumstantiis et conditionibus inibi conten̄ secund̄ formam et tenorem eiusd̄ in õibus punctis AC VOLUMUS et concedimus ac pro nobis nr̃isq; succ̃oribus pro perpetuo decernimus et ordinamus q^d hec pñs ratificatio anteđti acti concilii tanti erit valoris roboris efficacie et effectus ac si idem actum nr̃i secreti concilii ad longum in hac pñti carta nr̃a insereretur penes q^m nos pro nobis nr̃isq; succ̃oribus dispensavimus tenoreq; pñtis carte nr̃e dispensamus imperpetuū AC ETIAM cū consensu pređto fecimus constituimus et ordinavimus tenoreq; pñtis carte nr̃e facimus constituimus et ordinamus prefatos Prepositum Ballivos et Senatum đti burgi nr̃i de Aŧd suosq; succ̃ores imperpetuū custodes đte mensure lie Gage et Standert de Aberdene ad mensurand̄ et gadgiand̄ recipiend̄ et deliberand̄ salmonū infra đtum burgum nr̃um constituī et signatores et gadgiatores dict̄ mensurarum doliorū et salmonū vasorum AC per pñtis carte nr̃e tenorem damus et

gauge and standard of Aberdeen, containing ten gallons, with which measure all our lieges and subjects ought to receive and deliver their salmon in all time coming, in manner, in form and under the penalties contained in the said act of our council, as the said act of date aforesaid in itself at greater length purports, IN ALL and sundry its heads, points, clauses, articles, circumstances and conditions therein contained according to the form and tenor thereof in all points. AND WE WILL and grant, and for ourselves and our successors for ever, decree and ordain that this present ratification of the foresaid act of council shall be of as great force, strength, efficacy and effect as if the said act of our Privy Council were inserted at length in this our present charter; wherewith we, for ourselves and our successors, have dispensed, and by the tenor of our present charter do for ever dispense. AND ALSO, with consent aforesaid, we have made, constituted and ordained, and by the tenor of our present charter do make, constitute and ordain the foresaid provost, baillies and council of our said burgh of Aberdeen, and their successors for ever, keepers of the said measure, the gauge and standard of Aberdeen, appointed for measuring and gauging, receiving and delivering salmon within our said burgh, and stampers and gaugers of the said measures, barrels

disponimus prefatis Preposito Ballivis et Consulibus ďti burgi nr̃i de Aber̃d suisq; succ̃oribus õia feoda divorias et commoditates de et pro custodia antedte mensure lie gadge et standert et signa°ne dict̃ mensurarum doliorũ et salmonũ vasorum debit̃ vsitat̃ et consuet̃ NECNON cum consensu predict̃ pro nobis nr̃isq; succ̃oribus damus et concedimus plenam p̃tatem et privilegium dict̃ Preposito et Ballivis ďti burgi nr̃i suisq; succ̃oribus ões personas infra ďtum burgum vteñ et gereñ arma illegitima et prohibita per leges regni nr̃i et consuetudines burgorum geri vehi aut vti secund tenorem carte concess̃ per ďtum quond Regem Ro^tum^ Primũ burgeñ et Cõitati ďti burgi nr̃i de Aber̃d pro t̃pre et clausule inibi specificat̃ desuper confect̃ capiendi apprehendendi incarcerandi et puniendi sicuti dict̃ Prepositus et ballivi suiq; predicessores idem perprius possidebantur et vtebantur ET QUIA eccl̃ie sancti Nicolai vetus et nova Eccl̃ia Franciscanorum eccl̃ia collegiata vocat̃ capella sancte Catharine capella sancti Niniani super montem castri capella S^ti^ Clementis Eccl̃ia de Futtie nuncupat̃ infra ďtum burgum nr̃m de Aberdene libertatem et t̃ritoriũ eiusd

and salmon-vessels. AND by the tenor of our present charter we give and dispone to the foresaid provost, baillies and councillors of our said burgh of Aberdeen and their successors, all fees, duties and advantages, due, used and wont, of and for the keeping of the foresaid measure, the gauge and standard, and for the stamping of the said measures, barrels and salmon-vessels. AND ALSO, with consent aforesaid, for us and our successors, we give and grant to the said provost and baillies of our said burgh and their successors full power and privilege to take, apprehend, imprison and punish all persons within the said burgh using and carrying arms unlawfully and as prohibited by the laws of our kingdom and the usages of the burghs to be carried, borne or used, according to the tenor of a charter granted by the said umquhile King Robert the First to the burgesses and community of our said burgh of Aberdeen for the time being,* and of a clause therein specified, made thereanent; as the said provost and baillies and their predecessors formerly possessed and used the same. AND WHEREAS the old and new churches of Saint Nicolas, the church of the Franciscans called the College Church, Saint Catherine's Chapel, Saint Ninian's Chapel on the Castlehill, Saint Clement's Chapel called the Church of Futtie, lie within our said burgh of Aberdeen, the freedom and territory

* See Nos. X. and XI., pp. 15, 16.

jacent Ad quas ecclias et capellanias dict Prepositus Ballivi Senatus et Cõitas eiusd burgi nri suiq; predicessores õibus tpribus retroactis quando vacare contigerint Ministros et capellanos eligere pntare nominare et providere solebant et illis persolvere stipendia (nulla alia stipendia nec victus habentes) IGITUR proque causis suprascript nos cum consensu predto ratificavimus approbavimus et hac pnti carta nra confirmavimus tenoreq; eiusd ratificamus approbamus ac pro nobis nrisq; succoribus pro perpetuo confirmamus antedict vsum consuetudinem et possessionem que dti Prepositus Ballivi Senatus et Cõitas dict burgi nri de Abd suiq; predecessores in eligendo nõiando pntando et providendo Ministros et capellanos antedict ecclis et capellis et capellaniis earund quando vacare contigerint Et volumus concedimus proq; nobis nrisq; succoribus pro perpetuo decernimus et ordinamus q^d dti Prepositus Ballivi Senatus et Cõitas dicti burgi nri de Abd suiq; succores omnibus tpribus affuturis antedtum privilegium vsum et consuetudinem observabunt et exercebunt et in futurum vt in tpribus retroactis in eorum iure et po^ne hmõoi permanebunt atq; ministros capellanos aliasq; personas ad curam servind apud dict ecclias et capellas in futurum (vt in tpribus

thereof; to which churches and chaplainries the said provost, baillies, council and community of our said burgh and their successors in all times past have been in use whenever a vacancy occurred to choose, present, nominate and provide ministers and chaplains, and to pay them stipends (they having no other stipends or livings): THEREFORE, and for the causes above written, with consent aforesaid, we have ratified, approved, and by this our present charter confirmed, and by the tenor thereof do ratify, approve, and for us and our successors for ever confirm, the foresaid use, custom and possession, which the said provost, baillies, council and community of our said burgh of Aberdeen and their predecessors [had] in choosing, nominating, presenting and providing ministers and chaplains for the foresaid churches and chapels, and the chaplainries thereof, whenever a vacancy occurred. And we will grant, and, for us and our successors for ever, decree and ordain that the said provost, baillies, council and community of our said burgh of Aberdeen and their successors in all time coming shall observe and exercise the foresaid privilege, use and custom, and, in the future as in times past, shall remain in their right and possession thereof, and shall choose, present, nominate and provide ministers, chaplains, and other persons to serve the cure at the said churches and chapels in future (as in times past) without any hin-

preteritis) eligent pñtabunt nõiabunt et providebunt absq; vllo impedimento molestia perturba°ne vel contradic°ne Et volumus et ordinamus vt Epus abredoneñ et ordinarius pro tpre recipeat et admittat ministros et personas per dict Prepositum ballivos et Senatum dti burgi nri suosq; succores eligendos nõiandos et pñtandos in et ad ecctias et capellas servitium earund et functionem aptos et qualificatos existeñ Et illis institu°nem et collationem si opus fuerit in debita forma absq; obstaculo seu impedimento quocunq; desuper dabit PRETEREA cum consensu predto ex certa nra scientia proprioq; motu vnivimus annexavimus et incorporavimus tenoreq; pñtis carte nre pro nobis nrisq; succoribus vnimus annexamus creamus et incorporamus in ad et cum dto burgo nro de Abd terrisq; molendinis multuris piscariis anchoragiis portu statione aliisq; libertatibus et privilegiis eiusd predict eid burgo concess Tota et integra predta officia vice^tis Coronatoris et pacis Justiciare infra bondas et limites predict et iurisdictionem humoi cum dtis eschaetis amerciamentis exitibus et aliis libertatibus et privilegiis earundem predict Necnon dtum officium visitandi inquirendi scrutandi et experiendi mensuras et pondera suprascript intra bondas supraspecificat cum dto privilegio observandi dict mensure lie gadge et Standart predict salmonū doliorum et

drance, annoyance, trouble or challenge. And we will, and ordain, that the bishop of Aberdeen and ordinary for the time being shall receive and admit ministers and persons to be chosen, nominated and presented by the said provost, baillies and council of our said burgh and their successors in and to the churches and chapels, being fit and qualified for the service and function thereof; and if need be he shall give them institution and collation thereupon in due form without any obstacle or hindrance whatsoever. FURTHER, with consent aforesaid, from our certain knowledge and of our own accord, we have united, annexed and incorporated, and by the tenor of our present charter, for us and our successors, do unite, annex, create and incorporate, in, to, and with our said burgh of Aberdeen, and the lands, mills, multures, fishings, anchorages, haven, station and other liberties and privileges thereof aforesaid, granted to the said burgh,—all and whole the foresaid offices of sheriff, coroner and justice of the peace within the bounds and limits aforesaid and jurisdiction thereof, with the said escheats, fines, issues and other liberties and privileges thereof aforesaid; as also the said office of visiting, inspecting, searching and trying the measures and weights above written, within the bounds above specified, with the said privilege of observing the said

vasorum ac huñoi signandi et gadgeandi cum õibus feodis privilegiis commoditatibus et immunitatibus ad ðtum officium spectañ et incumbeñ cumq; preðto privilegio eligendi nõiandi pñtandi et providendi dict̃ ministros et capellanos ad ecclias et capellas predict̃ et quamlibet earund quotiescunq; in futurum vacare contigerint modo prescript̃ IN VNUM liberum burgum regium nunc et omni t̃pre futuro BURGUM de ABERDENE nuncupand Ac volumus et concedimus proq; nobis et succ̃oribus nr̃is decernimus et ordinamus q^d dict̃ Prepositus Ballivi Decanus gilde The^rius Consules burgeñ et Cõitas dicti burgi nr̃i de Aberdene suiq; succ̃ores omni t̃pre affuturo libere et pacifice possidebunt fruentur et gaudebunt eund burgum õesq; et singulas preðtas ℈ras acras croftas terras cões molendina multuras silvas piscarias aquas castrum pratum lacum montes viridaria propugnacula anchoragia tolonias et custumas lie Bell customes pondera lie trone weghtes mensuras annuos redditus mansionem domos hortos vias plateas passagia aliaq; spc̃aliter et gñaliter supra mentionat̃ cum õibus et singulis libertatibus privilegiis immunitatibus et commoditatibus iisdem spectañ et incumbeñ cumq; preðtis officiis vice^tis coronatoris et pacis Justiciarie infra bondas et limites pre-

measure, the gauge and standard of the foresaid salmon barrels and vessels, and of stamping and gauging the same, with all fees, privileges, advantages and immunities belonging and pertaining to the said office; and with the foresaid privilege of choosing, nominating, presenting and providing the said ministers and chaplains to the churches and chapels aforesaid and every one thereof, as often as a vacancy shall occur in future, in manner above written,—INTO ONE free royal burgh to be called now and in all time coming the BURGH of ABERDEEN. And we will, and grant, and, for us and our successors, decree and ordain that the said provost, baillies, dean of guild, treasurer, councillors, burgesses and community of our said burgh of Aberdeen, and their successors in all time coming, shall freely and peacefully possess, hold and enjoy the said burgh, and all and sundry foresaid lands, acres, crofts, common lands, mills, multures, woods, fishings, waters, castle, meadow, loch, hills, links, blockhouses, anchorages, tolls and customs, bell customs, weights, tron weights, measures, annual rents, dwelling-place, houses, yards, ways, streets, passages, and others, specially and generally above-mentioned, with all and sundry liberties, privileges, immunities and advantages belonging and pertaining thereto; and with the foresaid offices of sheriff, coroner and justice of the peace within the bounds and limits aforesaid and

scripť et jurisdictiones eorund ac cum ďtis eschaetis exitibus amerciamentis aliisq; libertatibus et privilegiis huñoi supra scripť Necnon ďtum officium visitandi inquirendi perserutandi et experiendi mensuras et pondera supra specificať infra bondas predicť atq; etiam ďtum privilegium et libertatem custodiendi et observandi antedicť mensure lie Gadge et Standert dicť salmonū doliorum et vasorum et eiusď signandi et gadgeandi cum õibus feodis privilegiis commoditatibus et immunitatibus ad ďtum officium spectañ et pertineñ ac etiam predicť privilegium et libertatem pñtandi nõiandi eligendi et providendi ministros et capellanos ad predicť ecclesias et capellas et ad quamlibet earum quoties in futurum vacare contigerint modo et forma supra scripť cum õibus suis pertineñ (que brevitatis causa in hac pñti carta nŕa non repetuntur) in feodo hereditate et libero burgo regio imperpetuum Et VOLUMUS et concedimus ac pro nobis et successoribus nostris cum avisamento et consensu predicť pro perpetuo decernimus et ordinamus quod vnica sasina semel virtute pñtis huius infeofamenti nostri danda Preposito et vni Ballivorum dicti burgi nŕi de Aberdene apud crucem foralem eiusdem Stabit et sufficiens erit sasina prefatis Preposito Ballivis Decano gilde Thesaurario Senatui burgensibus et Communitati eiusdem burgi nostri suisq;

jurisdictions thereof; and with the said escheats, issues, fines and other liberties and privileges thereof above written; as also the said office of visiting, inspecting, searching and trying the measures and weights above specified within the bounds aforesaid, and also the said privilege and liberty of keeping and observing the foresaid measure, the gauge and standard, of the said salmon barrels and vessels, and of stamping and gauging the same, with all fees, privileges, advantages and immunities belonging and pertaining to the said office; and also the foresaid privilege and liberty of presenting, nominating, choosing and providing ministers and chaplains to the foresaid churches and chapels, and to every one of them, as often as a vacancy shall occur in future, in manner and form above written, with all their pertinents (which for brevity sake are not repeated in this our present charter) in fee, heritage and free royal burgh for ever. And we will, and grant, and for us and our successors, with advice and consent aforesaid, for ever decree and ordain, that a single sasine once given in virtue of this our present infeftment, to the provost and one of the baillies of our said burgh of Aberdeen, at the market cross thereof, shall stand and be a sufficient sasine to the foresaid provost, baillies, dean of guild, treasurer, council, burgesses and community

succ̃oribus imperpetuum pro toto et integro antedicto burgo proq̃ õibus et singulis predt̃is terris molendinis possessionibus aquis piscariis officiis annexis connexis incorporationibus aliisq̃ particulariter et g̃naliter supra recitat̃ ab antiquo ad dtum burgum pertineñ et virtute pñtis carte nr̃e dat̃ et concess̃ vtq̃ premittitur huñoi burgo vnit̃ et annexat̃ similiter adeoq̃ libere in omnibus respectibus ac si dictus burgus noster aliaq̃ supra-scripta insimul et contigue iacerent et non in diversis locis et partibus ac etiam si particulares sasine apud quamlibet partem aut locum earundem cum õibus solemnitatibus requisitis capte fuerint et non obstañ huñoi penes que nos pro nobis et successoribus nostris cum avisamento et consensu predicto dispensavimus ac per pñtis carte nr̃e tenorem dispensamus imperpetuum Sic quod vnica sasina nunc capienda modo quo supra stabit et in se valida t̃tima et sufficiens erit absq̃ aliqua alia sasina huñoi vel de aliqua earundem parte in futurum capienda TENENDUM et HABENDUM totum et integrum predictum nostrum burgum de Aberdene cum omnibus et singulis antedictis terris domibus edificiis hortis tenementis portu propugnaculo littore croftis acris rudis terris communibus terras de Rubslaw et Cruiffes Salmonum piscarias super dictis

of our said burgh and their successors for ever, for all and whole the foresaid burgh, and for all and sundry the foresaid lands, mills, possessions, waters, fishings, offices, annexes, connexes,* incorporations, and others, particularly and generally recited above, from of old pertaining to the said burgh, and given and granted in virtue of our present charter, and united and annexed to the said burgh as above set forth; in like manner and as freely in all respects as if our said burgh and others above written lay together and contiguous, and not in divers places and parts, and also as if particular sasines had been taken upon every part and place thereof, with all requisite solemnities, and notwithstanding [the omission] thereof, wherewith we, for us and our successors, with advice and consent aforesaid, have dispensed, and by the tenor of our present charter do dispense for ever; so that a single sasine now to be taken in manner as above shall stand and be in itself valid, lawful and sufficient, without any other sasine to be taken thereof, or of any part of the same, in future. TO BE HELD AND HAD all and whole our foresaid burgh of Aberdeen, with all and sundry foresaid lands, houses, buildings, yards, tenements, haven, blockhouse, shore, crofts, acres, roods, common lands, the lands of Rubis-

* "*Annexes and connexes*, a legal phrase denoting everything in any way connected with the right or property referred to." Jamieson's *Dictionary*.

aquis de Die et Done molendinis multuris castro montibus pratis subvrbe vocaĩ Futtie cum capellis cymbarum piscariis custumis lie Bellcustomes toloniis minutis custumis ponderibus lie trone-weghtes mensuris lacubus viridariis anchoragiis ānuis reddititibus mansionibus officiis vicecomitis Coronatoris et pacis Justiciarie eschaetis amerciamentis cum dicto officio visitandi inquirendi perscrutandi et experiendi dictas mensuras et pondera infra bondas supra specificaĩ cum feodis et divoriis huñoi ac cum dicto officio custodiendi et observandi anteđtam mensuram lie Standart et Gadge Salmonum doliorum et vasorum eiusdemq; siğandi et gadgeandi cum feodis et privilegiis huñoi ac cum potestate et privilegio eligendi nominandi et pñtandi ministros et capellanos dictis ecclesiis et capellis proq; aliis particulariter et generaliter suprascripĩ cum omnibus libertatibus privilegiis et pertineñ Memoratis Preposito Ballivis Decano gilde Thesaurario senatui burgensibus et Communitati antedicti burgi nr̃i de Aberdene suisq; succ̃oribus De nobis et successoribus nr̃is in libero burgo regio feodo hereditate libero burgagio libero Vicecomitis officio libero Coronatoris officio et libero pacis Justiciario infra bondas predicĩ imperpetuum per omnes rectas metas suas antiquas et divisas prout iacent in longitudine et latitudine in domibus edificiis

law and Cruives, the salmon fishings on the said waters of Dee and Don, with mills, multures, castle, hills, meadows, the suburb called Futtie, with chapels, boat fishings, customs, bell customs, tolls, petty customs, weights, tron weights, measures, lochs, links, anchorages, annual rents, dwelling-houses, offices of sheriff, coroner and justice of the peace, escheats, fines, with the said office of visiting, inspecting, searching and trying the said measures and weights within the bounds above specified, with the fees and duties thereof, and with the said office of keeping and observing the foresaid measure, the standard and gauge, of salmon barrels and vessels, and of stamping and gauging the same, with the fees and privileges thereof, and with power and privilege to choose, nominate and present ministers and chaplains to the said churches and chapels, and for others, particularly and generally above written, with all liberties, privileges and pertinents: by the said provost, baillies, dean of guild, treasurer, council, burgesses and community of our foresaid burgh of Aberdeen and their successors; of us and our successors in a free royal burgh, fee, heritage, free burgage, free office of sheriff, free office of coroner, and free justice of the peace, within the bounds aforesaid, for ever; by all their right meiths, ancient and divided, as they lie in length and

boscis planis moris marresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cunicularíis columbis columbariis fabrilibus brasinis brueriis et genestis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce cum curiis et earum exitibus amerciamentis herezeldis bludewitis et mulierum merchetis cum cõi pastura liberoq, introitu et exitu cumq, furca fossa * sok sak thoill theme vert wraik waith wair vennysoun infangtheiff outfangtheiff pitt et gallows ac cũ õibus aliis et singulis liber-

breadth, in houses, buildings, woods, plains, moors, marshes, ways, paths, waters, ponds, streams, meadows, pastures and pasturages, mills, multures and their sequels, hawkings, huntings, fishings, petaries, turbaries, coals, coal pits, rabbits, rabbit warrens, doves, dovecots, smithies, brew houses, heath and broom, woods, groves and thickets, firewood, timber, quarries, stone and lime, with courts and their issues, herezelds, bloodwits and merchets of women, with common pasture, free ish and entry; and with right of pit and gallows, sok, sak, thol, them, greenwood,

* "*Furca et fossa*—the right of pit and gallows, the true mark of a true baron in the ancient time, who had *curia vitæ et membrorum*, jurisdiction in life and limb. It was not the peculiar taste of our barbarous ancestors: all feudal lords through feudal Europe were equally fond and proud of the right of executing those whom they had first convicted and sentenced to death. . . . The Gallowhill is still an object of interest, and, I fear, of some pride, near our old baronial mansions; and I know some where the surrounding ground is full of the remains of the poor wretches who died by the baron's law. Perhaps the *fossa*—the pit—was for the female thief; for women sentenced to death were, for the most part, drowned."

"*Sac* is the abbreviation of *sacu*, and means *placitum*—a plea or suit at law, and the jurisdiction or right of judging in litigious suits. *Soc* again strictly denotes the district included within such a jurisdiction."

"*Thol* has sometimes been supposed to mean exemption from toll or custom. . . . But in the common case I confess I prefer the interpretation which makes Thol—the definite, technical privilege—the right of exacting the duty rather than the right of refusing to pay it."

"*Them* is explained by Kemble as warranty, a word which has a very great variety of meanings in connexion with jurisdictions and forms of process of old. . . . Some bond of mutual warranty, such as was known in England under the name of *frank pledge* . . . to such a system this old word Them may apply."

"*Infangthef* is a short way of expressing the right to judge and punish a thief caught 'with the fang' within the grantee's jurisdiction. *Outfangthef*, which is much less common, gave the same power over a thief caught beyond the jurisdiction of the lord, he being followed and caught with the fang."

Cosmo Innes' *Scotch Legal Antiquities*, pp. 55-59.

tatibus commoditatibus proficuis asiamentis ac iustis suis pertineñ quibuscunq; tam non nominaĩ quam nominaĩ tam subtus terra q^m^ supra terram procul et prope ad predicĩ terras burgum aliaq; reẽtiue particulariter suprascripĩ cum vniversis et singulis suis privilegiis et pertineñ quibuscunq; predicĩ spectañ seu iuste spectare valeñ quomodolibet in futurum libere quicte plenarie integre honorifice bene et in pace sine aliqua revocatione contradictione impedimento aut obstaculo quocunq; REDDENDO inde ānuatim dicti Prepositus Ballivi Decanus gilde Thesaurarius Senatus burgenses et Communitas dicti burgi nostri de Aberdene suiq; successores nobis et successoribus nr̃is nostrisq; Thesaurariis et computorum rotulatoribus nr̃is nominibus Summam ducentum et quatuordecim librarum sex solidorum et octo denariorum vsualis monete dicti regni nr̃i Scotie tanquam antiquam divoriam et censum augmentationemq; eiusdem pro censubus burgagiis dicti burgi nostri solvi solitam et consuetam et in scaccario nostro per auditores eiusdem ānuatim temporibus retroactis ad terminos solutionis vsitatos et consuetos receptam et allocatam nomine census burgalis secundum tenorem dicti ultimi infeofamenti huiusmodi specialiter supra mentionati NECNON PRO dictis officiis Vicecomitis Coronatoris et pacis Justiciarie aliisq;

wreck, waif, seaware, venison, infangthef, outfangthef, and with all and sundry other liberties, advantages, profits, easements and their just pertinents whatsoever, both not named and named, both under the earth and above the earth, far and near, belonging, or which may in any way justly belong in time to come, to the foresaid lands, burgh, and others respectively, particularly above written, with all and sundry their privileges and pertinents whatsoever aforesaid, freely, quietly, fully, wholly, honourably and in peace, without any revocation, challenge, hindrance or obstacle whatsoever. PAYING therefor yearly the said provost, baillies, dean of guild, treasurer, council, burgesses and community of our said burgh of Aberdeen, and their successors, to us and our successors, and our treasurers and comptrollers in our names, the sum of two hundred and fourteen pounds six shillings and eight pence, usual money of our said kingdom of Scotland, as the ancient duty and maill and augmentation thereof, by way of burgh mails of our said burgh, used and wont in times past to be yearly paid, and received and allocated in our exchequer by auditors thereof at the terms of payment used and wont, in name of burgh maill, according to the tenor of the said last infeftment thereof, specially above mentioned. AS ALSO FOR the said offices of sheriff, coroner and justice of

iurisdictionibus supra specificatis debitam et ltimam Justitie administrationem in iisdem officiis et iurisdictionibus omnibus tpribus futuris vnacum servitio burgagio vsitato et consueto tantum pro omni alio onere exactione que de predicto burgo aliisq; prescript cum pertineñ per quoscunq; iuste exigi poterint quomodolibet vel requiri IN CUJUS REI TESTIMONIUM huic pñti carte nre confirmationis magnum sigillum nrm apponi precepimus TESTIBUS Reverendissimo in Christo Patre et predilecto nro Consiliario Joanne Sti Andree Archiepiscopo et nro Cancellario predilectis nris Consanguineis et Consiliariis Jacobo Marchione de Hamiltoun Comite Arranie et Cantabrigie Domino Aven et Innerdail &c Roberto Comite de Roxburgh Dño Ker de Cessfurde et Cavertoun &c nri secreti sigilli custode Wmo Comite de Sterling Vicete de Cannada Domino Alexr de Tulliebodie &c nostro secretario dilectis nostris familiaribus consiliariis Dominis Joanne de Barro Hay nrorum rotulorum regri ac consilii clerico Joanne Hamiltoune de Orbiestoun nre Justiciarie clerico et Joanne Scott de Scottistarvett nostre Cancellarie directore Militibus apud Otlandis nono die mensis Septembris anno Domini millesimo sexcentesimo trigesimo octavo et anno regni nostri decimo quarto

the peace, and other jurisdictions above specified, the due and lawful administration of justice in the same offices and jurisdictions in all time coming, together with burgage service used and wont only, in place of all other burden and exaction, which could in any way be justly exacted or required by any whatsoever from the foresaid burgh and others above written with the pertinents. IN WITNESS WHEREOF we have ordered our great seal to be appended to this our present charter of confirmation. WITNESSES: The most reverend father in Christ, and our well-beloved councillor, John, Archbishop of Saint Andrews, and our Chancellor; our well-beloved cousins and councillors, James, Marquis of Hamilton, Earl of Arran and Cambridge, Lord Aven and Innerdail, &c.; Robert, Earl of Roxburgh, Lord Ker of Cessford and Caverton, &c., Keeper of our Privy Seal; William, Earl of Stirling, Viscount of Canada, Lord Alexander of Tulliebodie, &c., our Secretary; our beloved familiar councillors, Sir John Hay of Barro, Clerk of our Rolls, Register, and Council; Sir John Hamilton of Orbieston, our Justice Clerk; and Sir John Scott of Scotstarvet, Director of our Chancery, Knights. At Otlands, the ninth day of the month of September, in the year of our Lord one thousand six hundred and thirty-eight, and of our reign the fourteenth.

XLVII.

Carolus etc Quia nos considerantes ecclesiam Sancti Nicolai infra burgum nr̃um de Aberdene esse principalem et precipuam ecclesiã parochialem dicti nr̃i burgi et perprius fuisse propriam ecclesiam episcopatus Abredoneñ atq; nunc nomen et titulum episcopatus dissolutum et suppressum esse per leges et acta parliamenti nr̃i huius nr̃i regni e pio et regio nr̃o amore ad augendam et promovendam religionem infra dictum nostrum regnum nobis benigne visum est dare fundare mortificare et disponere dictam ecclesiam Sancti Nicolai cum omnibus decimis rectoriis et vicariis eiusdem preposito ballivis consulibus et communitati dicti nostri burgi nunc pñtibus eorumq; successoribus omni tempore affuturo Igitur nos cum avisamento et consensu predilectorum nostrorum consanguineorum et consiliariorum Joannis Comitis de Loudoun dñi Terrinzean et Mauchline nr̃i cancellarii Archibaldi Marchionis de Argile et reliqua in communi forma etc Dedimus concessimus fundavimus mortificavimus et disposuimus tenoreq; pñtium cum avisamento et consensu predicto damus

XLVII.

King Charles I. grants to the provost, baillies, etc., their parish church of St. Nicholas. 11*th November*, 1641.

Charles, etc. Whereas, considering that the church of St. Nicholas within our burgh of Aberdeen is the chief and principal parish church of our said burgh, and was formerly the proper church of the bishopric of Aberdeen, and that now the name and title of the bishopric have been dissolved and suppressed by the laws and the acts of our parliament of this our kingdom, it has seemed right to us, from our pious and royal regard for the increase and promotion of religion within our said kingdom, to give, found, mortify and dispone the said church of St. Nicholas, with all the teinds thereof, parsonage and vicarage, to the provost, baillies, councillors and community of our said burgh now in office, and to their successors in all time to come: Therefore, with advice and consent of our well-beloved cousins and councillors, John Earl of Loudon, Lord Terrinzean and Mauchlin, etc., our chancellor, Archibald Marquis of Argyll, and the rest in ordinary form, etc., we have given, granted, founded, mortified and disponed, and by the tenor of these presents, with advice and consent aforesaid, do give, grant, found, mortify and dispone, to

concedimus fundamus mortificamus ac disponimus dictis preposito Ballivis consulibus et communitati dicti burgi nr̃i de Aberdene nunc p̃titibus eorumq̃ successoribus omni tempore futuro Totam et integram predictam ecclesiam Sancti Nicolai cum õibus decimis rectoriis et vicariis eiusdem vnacum jure patronatus et p̃ta°nis ministrorum eidem toties quoties eadem vacare et occurrere contigerit in futurum remansur̃ cum dictis preposito ballivis consulibus et communitate dicti nr̃i burgi eorumq̃ successoribus imperpetuum omni tempore futuro Et similiter nos cum consensu predicto vnimus et annexamus dictam ecclesiam Sancti Nicolai et decimas rectorias et vicarias eiusdem cum dicto jure patronatus eiusdem ad predictum nostrum burgum de Abd̃ Et ordinamus quod vnica sasina eiusdem nunc semel capienda per dictos prepositum ballivos consules et communitatem dicti nr̃i burgi apud crucem foralem eiusdem stabit valida efficax et sufficiens erit sasina eiusdem eis imperpetuum omni tempore futuro absq̃ vlla necessitate nove sasine eiusdem capiende quocunq̃ tempore postea in futurum Tenend̃ dictam ecclesiam Sancti Nicolai et omnes decimas rectorias et viccarias eiusdem cum jure patronatus dicte ecclesie et p̃ta°nis ministrorum ad eand̃ prefatis preposito ballivis

the said provost, baillies, councillors and community of our said burgh of Aberdeen now in office, and to their successors in all time to come, all and whole, the foresaid church of St. Nicholas, with all the teinds thereof, parsonage and vicarage, together with the right of patronage and presentation of ministers thereto, as often as the same shall happen to occur and be vacant in future, to remain with the said provost, baillies, councillors and community of our said burgh, and their successors for ever in all time to come. And, likewise, with consent aforesaid, we unite and annex the said church of St. Nicholas, and the teinds thereof, parsonage and vicarage, with the said right of patronage thereof, to our foresaid burgh of Aberdeen. And we ordain that a single sasine thereon, once now taken by the said provost, baillies, councillors and community of our said burgh, at the market cross thereof, shall stand and be a valid, effective and sufficient sasine thereon for them for ever in all time to come, without any necessitate for a new sasine to be taken thereon at any time afterwards. To be held, the said church of St. Nicholas, and all the teinds, parsonage and vicarage thereof, with the right of patronage of the said church and of presentation of ministers thereto, by the foresaid provost,

consulibus et communitati dicti nr̃i burgi eorumq; successoribus de nobis et nr̃is successoribus in puram elimosinā imperpetuū Reddendo inde preces Deo omnipotenti pro nr̃o et successorum nr̃orum felici et prospero regno necnon sustentando ministrum apud dictum ecclesiam parochialem in quantum decime dicte parochie Sancti Nicolai extendi poterint Proviso q^d p̃ntes sint absq; prejudicio nr̃e annuitatis et provisionis ministrorū stipendiorum Vobis etc Apud Halyruidhous vndecimo die mensis Nor̃is anno Dn̄i millesimo sexcentesimo quadragesimo primo Et regni nr̃i anno decimo septimo

XLVIII.

Carolus etc Quia nos considerantes secundum nr̃um warrantum et directionem examina^onem factam fuisse de conditione ministrorum burgi nr̃i de Aberdene et scholarum grammaticæ et musicæ ac tipographi eiusdem burgi nr̃i et de suarum provisionum communitate Post quam examina^onem relatio facta fuit quod super et vltra instantem

baillies, councillors and community of our said burgh, and their successors in pure alms for ever. Rendering therefor prayers to Almighty God for a happy and prosperous reign to us and to our successors, as also paying stipend to the minister of the said parish church in so far as the said teinds of the parish of St. Nicholas can allow. Providing that these presents are without prejudice to our annuity and provision from ministers' stipends. To you, etc. At Holyrood House, the eleventh day of the month of November in the year of our Lord one thousand six hundred and forty-one, and of our reign the seventeenth.

XLVIII.

King Charles I. grants to the provost, baillies, etc., for support of the ministers of the burgh, the annual sum of £100 sterling from the rental of the Bishopric of Ross. 18th November, 1641.

CHARLES, etc. Whereas, considering that, according to our warrant and direction an examination was made into the condition of the ministers of our burgh of Aberdeen, and of the grammar and song and writing schools of our said burgh, and into the common fund for their allowances, after which examination, a report was made that over and above the present

prouisionem requiritur pro competenti sustenta°ne ad vsus predictos annualis summa tricentarum triginta duarum librarum quindecem solidorum et septem denariorum monete strivilingeñ sicut relatio subscripta ab iis quibus commissa fuit potestas examinandi latius proportat Et nos considerantes magna damna a dicto burgi nr̃o de a͂bd sustenta in suis nuperrimis turbula°nibus quibus omnimodo inhabiles facti sunt subeundi onus suorum ministrorum et scolarum sustentati°nis sine nr̃o auxilio et supplemento Et nos quodammodo graciose placati vt eorum necessitas in eisdem supportatur et suppleatur Nos ideo gratiose placati sumus concedere dicto burgo nr̃o de Abirdene pro sustenta°ne suorum ministrorum annualem summā centum librarum monete strivilingeñ et securitatem de eisdem eis dare modo sequenti Igitur nos cum avisamento et consensu predilectorum nr̃orum consanguineorum et consiliariorum Joannis Comitis de Lowdoun dñi terrinȝeane et mauchline nr̃i magni Cancellarij huius regni nr̃i Scotiæ etc et reliqua in cōmuni forma Dedimus concessimus mortificavimus et disposuimus tenoreq; pr̃tium cum avisamento et consensu predict̃ damus concedimus mortificamus et disponimus preposito ballivis consiliarijs et communitati dicti nr̃i burgi de Aberdene suisq; successoribus pro

allowance, there is needed for adequate support of the foresaid uses an annual sum of three hundred and thirty-two pounds fifteen shillings and seven pence, sterling money, as the report subscribed by those to whom was committed the power to examine more fully sets forth; And, considering the great losses sustained by our said burgh of Aberdeen, in its most recent disturbances, whereby [the inhabitants] are altogether unable to bear the burden of supporting their ministers and schools without our aid and supplement; And, being graciously pleased that their need therein should be relieved and cherished: We therefore have been graciously pleased to grant to our said burgh of Aberdeen for the support of their ministers an annual sum of one hundred pounds sterling money, and to give them security therefor in manner following. Therefore, with advice and consent of our well-beloved cousins and councillors, John, Earl of Loudon, Lord Terrinzeane and Mauchline, our high Chancellor of this our kingdom of Scotland, etc., and the rest in ordinary form, have given, granted, mortified and disposed, and by the tenor of these presents, with advice and consent aforesaid, do give, grant, mortify and dispone to the provost, baillies, councillors and community of our said burgh of Aberdeen,

vsu auxilio et supplemento sustentaᵒnis suorum ministrorum Totam et integram annuam divoriam centum librarum monete strivilingeñ ãuatim levañ et percipieñ de primis et prõptioribus censibus feudifirmæ firmis decimis et decimarum divorijs nuperrimi episcopatus Rossensis vel de aliqua eiusd̃ parte Et specialiter de particularibus terris et locis subsequentibus Viz̃ de davata et dimidia davatæ terrarum de Cullicudden dimidia davata terræ de Culbo davata terræ de wester Culbo davata terræ de Idoll quarteria siue quarta parte terrarum de Wodheid St. Mairtene Craighous et Balblair dimidia davata terræ de Kinbeachie terris de Vrqr̃t Essie Inchchulter Kenloch glas Balracoule Auchnagaid Bothmore Kinkell Annes terris de Arthourseir Craigheid et easter Rachrie terris de Syrressar Arconduch Kincurdie Kilchoane Strommady et Little Moy terris de Alves Tarbert molendino de Tarbert Dibbidill molendino de Rosqueine terris de Kildermoir Auchnaculleine et de terris dñi de Lovat in prioratu de Bewlie Cum potestate prefatis preposito ballivis consilarijs et com-

and to their successors, and for the use, aid and increase of the income of their ministers, All and whole annual duty of one hundred pounds sterling money, to be uplifted and gathered yearly from the first and readiest mailles, feu duties, teinds, and teind duties, of our late bishopric of Ross, or from any part thereof; and especially from the particular lands and places following, viz., from the davach * and half davach of the lands of Cullicudden, the half davach of land of Culbo, the davach of land of Wester Culbo, the davach of land of Udale, the quarter or fourth part of the lands of Woodhead, St. Martins, Craighouse and Balblair, the half davach of land of Kinbeachie, the lands of Urquhart, Ethie, Inchcoulter, Kinlochglass, Balracoul, Auchnagaid, Boathmore, Kinkell, Alnes; the lands of Ardersier, Craighead and Easter Raddery; the lands of Syrressar, Arcandeith, Kincurdy, Kilchoane, Strommady and Little Moy; the lands of Alves, Tarbat, Mill of Tarbat, Dibidale, Mill of Rosskeen; the lands of Kildermorie, Auchnaculleine; and from the lands of Lord Lovat in the priory of Beauly: with power to the aforesaid provost, baillies, councillors and community of our said burgh of Aberdeen, and to their successors,

* *Davach.* "A measure of land known chiefly over the north-eastern counties. . . . It seems to follow that . . . half a davach consisted of two ploughs, and that a whole davach would be equal to four ploughs." Cosmo Innes' *Scotch Legal Antiquities*, pp. 271-3. *Cf. Proc. Soc. Ant. Scot.*, xviii., 258; xx., 200.

munitati dicti burgi nr̃i de abd̃ suisq; successoribus levanæ predict̃ census feudifirmæ firmas decimas et decimaram divorias dict̃ particulariū tr̃arum aliorumque suprascript̃ a feoditarijs feudifirmarijs tenentibus assedatoribus aliisq; humõj debitoribus de croppa et anno Dñi millesimo sexcentesimo quadragesimo primo et ānuati omni tempore futuro eademq; vsibus predictis applicandi sicut nos cum consensu predict̃ dissolvimus predict̃ census feudifirmæ firmas decimas et decimarum divorias a dicto episcopatu Rossensi et beneficio eiusd̃ et annexavimus eadem dicto burgo nr̃o de abd̃ omni tempore affuturo ad vsus predictos Vobis etc Apud Halyrudhous decimo octavo die mensis Nõris āno Dñi millesimo sexcentesimo quadragesimo primo et regni nr̃i āno decimo septimo

XLIX.

King Charles II. ordains a letter to be expede, confirming to the provost, baillies, etc., the grant made (18*th November*, 1641) *by King Charles I.** 10*th April*, 1661.

Our Soveraigne Lord Ordaines An Letter to be made and expede vnder his Ma^ties^ great Seals of his ancient Kingdome of Scotland In due form: Ratifying and approveing: Likeas, his Ma^tie^ hereby Ratifyes and approves, an former Guift made and granted by his Ma^ties^ royall ffather (of ever blessed Memory) In favours of his ancient Burgh of Aberdene, and of the Ministers and Schooles thereof, of the date at Hallyrudhouse, the 18th day of November, 1641; And Giveing,

to uplift the aforesaid maills, feu duties, teinds and teind duties of the said particular lands, and of others above written, from the feuars, tenants, lessees and others in debt thereto, for the crop and year of our Lord one thousand six hundred and forty-one, and annually in all time to come; and to apply the same to the uses aforesaid. And we, with consent aforesaid, dissolve the foresaid maills, feu duties, teinds and teind duties, from the said bishopric of Ross, and the benefit thereof, and annex the same to our said burgh of Aberdeen in all time to come, for the uses aforesaid. To you, etc. At Holyroodhouse, the eighteenth day of the month of November in the year of our Lord one thousand six hundred and forty-one, and of our reign the seventeenth.

* No. XLVIII., p. 201.

Granting, and of new disponeing, Likeas, his Ma^tie by these presents Gives, Grants, and of new dispones, To and in favours of the Provest, Baillies, Councellors, and Community of the said Burgh, and their successors ffor the vse, help, and behoofe of the Ministers thereof and other pious vses; All and haill an yearely Pension of an hundreth pounds sterling, To be payd yearely, out of the first and readyest Rents, ffewfermes, Teinds, and other duetyes whatsoever, of, or belonging, to the late Bishoprick of Rosse, or any part of the samȳ, And Especially of the lands and Others particularly designed and expressed, in the said Guift. With power to the said Provest, Balives, Councellors and Comunity of Aberdene foresaid, and their successors, To ask, crave, receive, intromett with, and vptake the pension aboue written from the ffewars, ffewfermers, Tennants and others lyable in payment for the samȳ; And that of all yeares and cropes bygane vnpayd; And siclike yearely and termely in tyme comeing, and the same to apply allenerly, to the vses foresaid, Conforme to the Tenor of the said former Guift, In every particular point and Clause, therein contained. And the said Letter be further extended in the best forme, with all clauses necessary: And these presents, to bee a sufficient warrant to the Director of the Chancellary and the Keeper of the great Seale, to write, and append the samȳ without passing any other Register or Seales. Given at Our Court, at Whitehall, the tenth day of Aprile 1661 and of our Regine, the 13th yeare.

L.

King Charles II. ordains a letter of gift to be extended conveying to the provost, baillies, etc., the patronage of the church of Newhills. [*Circa* 1666.]*

. . . . . .

As also considering that by severall Charters Gifts, and Graunst, Maid by OUR SOVERAIGNE LORD His said vmq^ll father and others his Highness predicessors KINGS, AND QUEENS OF SCOTLAND In favors of the Provost, Baillies, Councill, and Comunitie of the said Burgh of Aberdein, They have the right of Patronadge of all churches, Cheplenries Altarages and others builded, erected, and founded within

* The beginning of the document is torn.

the said Burgh, and limits therof AND Being now informed that ther wes ane kirk laitlie builded Be the deceast George Davidsone burges of the said Burgh vpon the bounds, and within the friedome of the foirsaid Burgh and terratories therof, Called the kirk of Newhills, or Caplehills, And wch kirk is laitlie erected in ane Paroch kirk in all tyme coming, Be the Lords Comissioners for plantatione of kirks And valewatione of teynds, And that the sd George Davidsone for the mantinence of a Minister to serve the Cuir att the said kirk did Mortefie the towne and Lands of Newhills with ther pertinents haill rents, and Casualities thereof Holdin be him of the said Burgh of Aberdein, in frie Burgage Quhairthrogh the Comon Good and Interest of the said Burgh Is in some pairt prejudged, and damnefied, In regaird the Lands Mortefied, will not be lyable to bear stent and Impositiones, As the rest of ther Comone Lands does, And that they will want ane vassall to watch and ward with them, and to be lyable to all burdens, as the other Inhabitants are AND SICLYK Considering that the right of Pattronadge Advocatione and Donatione, of the said kirk perteens, and belongis TO OUR SOVERAIGNE LORD By the Priveledge of the Croune, As not beeng appoynted, and determined be the said deceast George Davidsone, Founder, and Mortifier befoir his deceass THERFOR OUR SOVERAIGNE LORD, With advyce of His Maties Right trustie Cusings and Cowncillors Iohne Earle of Rothes etc Heigh Chancelor of Scotland, Iohne Earle of Lauderdaill soll Secretarie of Stait, Iohne Earle Tweddaill, Allexandr Earle of KinCarden, William Lord Bellendine, His Maties Thesaurer deputt, William Lord Cochron his Maties trustie Councillor Sr Robert Murray lait Justice Clerk, His Maties Comissioners for the Thesaurie, Comptrollerie, and Thesaurie of new augmentationes within His kingdome of Scotland, And also with advyce and Consent of the Lords and others Comissioners of the Excheqr of the said kingdome ORDAINES Ane Letter of Gift to be maid vnder his Maties great Seall In dew and competent forme To his Heighness Lovits The Provost, Baylies, Councill, and Comunitie of the sd Burgh of Aberdeen and ther successors in all tyme coming, off the Advocatione, Donatione, and right of Patronage off the said new erected parochine and paroch kirk of Newhills, or Caplehills, haill privileges, Imunities, and Casualities thereto belonging, Or that is knowene to belong to ancy others Patrons of parochines and parish

Churches within this said kingdome of Scotland WITH power to the sds Provest Baylies, and Cowncill of the sd Burgh of Aberdein To present Ministers for serving the Cuir att the said Kirk, To the said Mortefied steepend and mantinence, and to the provisiones granted and appoynted furth of the nixt adjasent parochine of Old Machar, for the better provisione of the Minister serving the cuir att the said new erected kirk, And to the Manse, and Gleb provyded or to be provyded to the saids Ministers, fruits, rents, emoluments, and dewties therof, teins, Customes and Casualties belonging therto And that the said Gift be farder extended in the best forme GIVEN ATT * * *

LI.

CAROLUS Dei gratia magnæ britanniæ Franciæ et hiberniæ Rex fideiq; defensor Omnibus probis hominibus suis ad quos præsentes literæ nr̃æ pervenerint Salutem SCIATIS Quia Nos animo nostro revolventes deploratam et tristem conditionem antiqui nr̃i burgi de Aberdein ejusq; civium in hoc antiquo Regno nostro Scotiæ ex gravi onere æris alieni per eos debiti eorum propriis mortificationibus aliisq; vsibus piis per eos contractis extruendo eorum portum instaurando eorum ecclesias et pontes de Don et dee et diversa alia publica opera eorumq; gravia damna tempore calamitoso nuper tumultum et rebellionis perpessa

LI.

King Charles II. grants to the provost, baillies, etc., certain excise duties for a term of eleven years. 30*th September*, 1678.

CHARLES, by the grace of God King of Great Britain, France and Ireland, Defender of the Faith, to all his good men to whom our present letters shall come, greeting. KNOW YE that we, reflecting on the deplorable and sad condition of our ancient burgh of Aberdeen and its citizens, in this our ancient kingdom of Scotland, owing to the heavy burden of debt due by them to their own mortifications and other pious uses, incurred by them in constructing their harbour, restoring their churches and the bridges of Don and Dee, and diverse other public works; and their heavy losses suffered in the late disastrous

Annui redditus quorum quidem debitorum excedit et exhaurit eorum publicum ærarium adeo ut si eorum creditores executione legum contra eos vterentur vna cum ruina cõmercii et paupertate civium dict burgus et nostra gubernatio prope interitum esse videtur IDCIRCO Nos cupientes opem ferre Magistratibus et cõmunitati dict burgi nostri de Aberdein Quoad solutionem dict utq, eorum opera manufactoria instaurentur et cõmercium foveatur et noster gubernatio in dicto burgo adjuvetur proq, eorum incitamento ad persistendum in nostro servitio in posterum DEDIMUS concessimus disposuimus Tenoreq, præsentium pro causis antedict et diversis aliis rationibus Nos moveñ Damus concedimus et disponimus præposito balivis et consulibus dicti burgi nostri de Aberdein nomine communitatis ejusdem Impositionem quatuor denariorum monetæ hujus Regni nostri Scotiæ super vnoquoq, pincto cerevisiæ concoctæ venditæ vel infra dict burgum et libertates ejusdem absumptæ summam quinquaginta librarum monetæ prædict super vnoquoq, dolio lie Tunn vini Gallici Sūmam Quinquaginta librarum monetæ prædict super vnoquoq, dolio lie Butt vini Saccati seu hispanensis vel vini Rhenensis Summam duorum solidorū super vnoquoq, pincto vini exotici vocat lie brandie wyne vel lie strong-

time of tumults and rebellion, the annual interest of which debts exceeds and exhausts their public revenue, so that if their creditors were to put the laws in execution against them, in addition to the ruin of the commerce and the destitution of the citizens, the said burgh and our government would be almost destroyed: We THEREFORE, being desirous to assist the magistrates and community of our said burgh of Aberdeen in the said payment, and in order that their manufactures should be restored and their commerce encouraged and our government in the said burgh upheld, and to incite them to continue in our service in the future, HAVE GIVEN, granted, disponed, and, by the tenor of these presents, for the causes aforesaid, and for diverse other reasons moving us, do give, grant and dispone to the provost, baillies and councillors of our said burgh of Aberdeen, in name of the community thereof, an impost of four pence, money of this our kingdom of Scotland, upon every pint of ale, brewed, sold or consumed within the said burgh and the liberties thereof; the sum of fifty pounds money aforesaid upon every tun of French wine; the sum of fifty pounds money aforesaid upon every butt of sack, or of Spanish or Rhenish wine; the sum of two shillings upon every pint of

waters et aquavite sive importaī concoctī vel venditī infra dictī burgum CUM potestate dictis Magistratibus exigendi prædictam Impositionem super cerevisia zitho sive ad ratam viginti solidorum monetæ prædictī super vnaquaqꝫ bolla polenti concocti per quamcunqꝫ personam seu personas intra dictum burgum et libertates ejusdem vel ad ratam quatuor denariorum super vnoquoqꝫ pincto cerevisiæ et zithi potabilis vtrumcunqꝫ eorū eis efficacius videbitur ET SIMILITER imponendi et exigendi Summam Tredecem solidorum et quatuor denariorum monetæ prædictī super cadavere cujusqꝫ bovis Summam duodecem solidorum monetæ prædictī super cadavere cujusqꝫ vaccæ Summam octo solidorum monetæ prædictī super vnoquoqꝫ vitulo pretii octo librarum Summam sex solidorum monetæ prædictī super vnoquoqꝫ vitulo minoris pretii Summam octo solidorum monetæ prædictī super vnoquoqꝫ porco Summam duorum solidorum m̃otæ prædictī super vnoquoqꝫ vervece sūmam vnius solidi Scoticani pro vnoquoqꝫ agno quem contigerit vendi in publico foro dictī burgi CUNCTÆ quæquid impositiones solvendæ sunt per venditores vini cerevisiæ zithi lic Brandie aquavite strongwaters per concoctores polenti invectores ejusdem et per laniones in dicto

foreign wine called brandy-wine or strong waters, and of aqua vitæ, whether imported, distilled or sold within the said burgh. WITH power to the said magistrates to exact the foresaid impost upon ale and beer, either at the rate of twenty shillings money aforesaid upon every boll of barley malted by any person or persons whatsoever within the said burgh and the liberties thereof, or at the rate of four pence upon every pint of ale and drinking beer, whichever of these shall seem to them more effective; AND LIKEWISE to impose and exact the sum of thirteen shillings and four pence money aforesaid upon the carcase of every ox, the sum of twelve shillings money aforesaid upon the carcase of every cow, the sum of eight shillings money aforesaid upon every calf of the value of eight pounds, the sum of six shillings money aforesaid upon every calf of less value, the sum of eight shillings money aforesaid upon every pig, the sum of two shillings money aforesaid upon every sheep, the sum of one shilling Scots for every lamb, that shall chance to be sold in the public market of our said burgh. ALL which imposts are to be paid by the sellers of wine, ale, beer, brandy, aqua vitæ, strong waters, by the malters of the barley or importers thereof, and by the butchers in our said burgh of Aberdeen and

burgo nostro de Aberdein et libertatibus ejusdem reẽtive ET quæquidem impositio super vino cerevisia aliisq; liquoribus antedict̃ declaratur esse et fore absq; præjudicio ordinariæ excisæ et annuitatis Nobis per actum parliamenti concess̃ Et Nos volumus et declaramus impositiones antedictas et vnamquamq; earundem persistere et vim habere pro spatio vndecem annorum post primum diem mensis Novembris proxime futuri millesimo sexcentesimo septuagesimo octavo A quo tempore præsentes hæ literæ nostræ inchoature sunt et dictæ impositiones incipient CUM plena potestate præposito balivis et consulibus dicti burgi nostri eorumq; successoribus in dictis officiis de tempore in tempus durañ annis et spatio supra expresso eorumq; colectoribus nominandis et eorum auctoritate muniendis levandi et exegendi antedictas imposĩnes pro solutione debitorum dicti burgi Idq; vel super cerevisia et zitho vel super bolla pollenti ut dictum est et super vino lie brandie aquavite et strongwaters carne et cadaveribus ad publicum forum allatis ut particulariter supra exprimitur Et acceptilationes desuper concedendi Ac pro eisdem namandi et distringendi Et generaliter cuncta alia eatenus gerendi et exercendi pro efficaci solutione faciend̃ earund̃ Similiter adeoq; libere sicut Magistraĩ et

the liberties thereof respectively. AND every impost upon wine, beer and other liquors aforesaid is declared to be, now and henceforth, without prejudice to the ordinary excise and annuity granted to us by Act of Parliament. And we will and declare that the imposts aforesaid and everyone thereof shall continue and have force for the space of eleven years after the first day of the month of November next to come, one thousand six hundred and seventy-eight, from which date these our present letters shall come into force and the said imposts shall begin. WITH full power to the provost, baillies and councillors of our said burgh, and their successors in the said offices, from time to time within the years and space above set forth, and to their collectors to be nominated and strengthened with their authority, to uplift and exact the foresaid imposts for the payment of the debts of the said burgh, and that either upon beer and ale, or upon the boll of barley as aforesaid, and upon wine, brandy, aqua vitæ and strong waters, flesh and carcases brought to the public market, as particularly set forth above; and to grant discharges thereupon; and to poind and distrain therefor; and generally to do and execute all other things thereanent for bringing about the effectual payment

consules cujusvis alterius burgi nostri Regalis infra hoc Regnum nostrum facere potuerat vel facere potuerit virtute quarumcunq; literarum privilegii similis naturæ per nos cuivis eorum concesſ IN CUJUS REI TESTIMONIUM præsentibus magnum sigillum nostrum appendi mandavimus APUD Aulam nostram de Whytehall Trigesimo die mensis septembris Anno Domini Millesimo Sexcentesimo septuagesimo octavo et anno Regni nĩi Trigesimo

LII.

Anna Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Regina fideiq; defensor, OMNIBUS probis hominibus totius terræ suæ Clericis et laicis Salutem, Sciatis nos cum avisamento et consensu [ut in alijs Cartis consimilis datæ præcedeñ] Dedisse, concessisse disposuisse et hac præsenti Carta nostra Confirmasse, Tenoreq; ejusdem Dare concedere disponere, et pro nobis et successoribus nostris pro perpetuo

of the same; in like manner and as freely as the magistrates and councillors of any other our royal burgh within this our kingdom can or could do in virtue of any letters of privilege whatsoever of like nature granted by us to any one of them. IN WITNESS WHEREOF we have ordered our great seal to be appended to these presents. AT our court of Whitehall, the thirtieth day of the month of September in the year of our Lord one thousand six hundred and seventy-eight, and of our reign the thirtieth.

LII.

Queen Anne grants to the provost, baillies and dean of guild the teinds of the Cruives, within and below, in the Don for payment of the yearly feu-duties: £38 Scots to the Minister of St. Nicholas, and 11*s.* 8*d. to the Crown.* 31*st July*, 1702.

ANNE, by the grace of God Queen of Great Britain, France and Ireland, Defender of the Faith, TO ALL good men of her whole land, churchmen and laymen, greeting. Know ye that with advice and consent [as in other previous charters of like date*] we have given, granted, disponed, and by the present charter have confirmed, and by the tenor thereof do give, grant, dispone, and

* Recorded in *Registrum Magni Sigilli.*

Confirmare Joanni Allardice præsenti præposito burgi de Aberdein, Alexandro Ray, Joanni Ross, Alexandro Drem et Alexandro Forbes de Ludquharn ballivis et Jacobo Catanach decano gildæ dicti burgi et eorum successoribus præposito ballivis decano gildæ Concilio et Communitati ejusdem burgi pro usu et beneficio Communitatis ejusmodi, sine ulla redemptione reversione seu regressu in perpetuum, TOTAM et integram Salmonum piscationem subtus specificat̃, VIZ: OMNES et singulas Salmonum pisces cum pertineñ quæ olim pertinuerunt ad EPISCOPUM ABERDONIEÑ tam ratione decimarum quam temporalium jurium vel ullo alio modo prēdeñ et capieñ quibuscunq; temporibus infra [*sic*, cf. p. 214] piscationem de lie Cruives tam infra [*sic*] dict̃ lie Cruives quam infra easdem Super aquam de Don extendeñ in numero ad Sextam Salmonum piscem et Septimam Salmonum piscem omnium piscium cujuscunq; generis Salmonum piscium et cujuscunq; alterius generis piscium VIZ: lie laxes grilses trouts et aliorum piscium quorumcunq; prendeñ et capieñ super dict̃ piscatione ut prædicitur cum privilegijs et pertineñ ad eandem spectañ Jaceñ in parochia de St Marchar [*sic*] et vicecomitatu de Aberdein QUÆQUIDEM piscatio Salmonum perprius hæreditarie pertinuit ad Jacobum Gordon de Seatoun, et per illum

for us and our successors for ever confirm, to John Allardyce, for the time being provost of the burgh of Aberdeen, Alexander Ray, John Ross, Alexander Drem, and Alexander Forbes of Ludquharn, baillies, and James Catanach, dean of guild of the said burgh, and their successors, provost, baillies, dean of guild, council and community of the same burgh, for the use and benefit of the said community, without any redemption, reversion or withdrawal for ever, ALL and whole the salmon fishing under specified—namely, ALL and sundry the salmon with the pertinents which formerly belonged to the Bishop of Aberdeen, to be caught or taken by way of teinds or of temporalities, or in any other way, at any time whatsoever, within the fishing of the Cruives, as well within the said Cruives as below the same on the water of Don, extending in number to the sixth salmon fish and the seventh salmon fish of all fishes of any kind, salmon fishes and any other kind of fish, viz.: lax, grilse, trout and other fishes whatsoever caught and taken on the said fishing as aforesaid, with the privileges and pertinents belonging thereto, lying in the parish of St. Machar and sheriffdom of Aberdeen; WHICH salmon fishing formerly belonged in heritage to James Gordon of Seaton, and by him and his lawful procurators in his name specially constituted for this pur-

ejusq, legitimos procuratores ejus nomine ad hunc effectum specialiter constituť virtute procuratoriæ resignationis contenť in dispositione concessš ab illo Jacobo Moir de Stonywood ejusq, hæredibus et assignatis de data tertio die mensis Decembris anno Domini millesimo sexcentesimo nonagesimo octavo, Cum omni debita reverentia et humilitate uti decet pure et simpliciter ut moris est per fustim et baculum debite et legitime resignať fuit in manibus dicť Dominorum Commissionariorum nostri Thesaurarij et Scaccarij, potestatem et commissionem habeñ a nobis recipere resignationes et desuper concedere nova infeofamenta, tanquam in manibus nostris immediati legitimi superioris ejusdem tanquam devenieñ in locum Episcopi Aberdonieñ virtute acti parliamenti Episcopatum abolieñ apud Edinburgum decimo die mensis Julij instantis in favorem et pro hoc novo nostro infeofamento earundem faciend et concedend dictis præposito ballivis et decano gildæ dicti burgi de Aberdein pro seipsis, et in nomine et tanquam representañ Concilium et Communitatem ejusdem et eorum successoribus in loco et officio, hæreditarie et irredimabiliter omni tempore futuro Et hoc tanquam assignatis et jus habend prædictæ dispositionis et procuratoriæ resignationis inibi contenť virtute dispositionis et assignationis illis con-

pose, by virtue of a procuratory of resignation contained in a disposition granted by him to James Moir of Stonywood and his heirs and assignees, of date the third day of the month of December in the year of our Lord one thousand six hundred and ninety-eight, with all due reverence and humility, as is becoming, purely and simply, as is the custom, by staff and baton, was duly and lawfully resigned into the hands of the said Lords Commissioners of our Treasury and Exchequer, having power and commission from us to receive resignations, and thereon to grant new infeftments, as in the hands of us the immediate lawful superior thereof (as coming in place of the Bishop of Aberdeen, by virtue of the Act of Parliament abolishing Episcopacy), at Edinburgh the tenth day of July current, in favour of, and in order that this our new infeftment thereof might be made and granted to, the said provost, baillies and dean of guild of the said burgh of Aberdeen, for themselves and in name of and as representing the council and community thereof, and their successors in place and office, heritably and irredeemably in all time to come: And this as to the assignees and those having right to the foresaid disposition and procuratory of resignation therein contained, by virtue of the disposition and assignation granted to them by the said James

cesš per dictum Jacobum More ea circa de data decimo quinto die mensis Maij anno Domini millesimo septingentesimo primo TENEÑ de nobis et Successoribus nostris modo Subscripť Et hoc in tali debita et competenti forma uti congruit Sicuti authentica instrumenta desuper suscepta in manibus Magistri Arthur Forbes notarij publici latius proportant. TENEÑ et HABEÑ dicť piscationem cum pertineñ ejusmodi quibuscunq; tam ratione decimarum quam jurium temporalium seu ullo alio modo capieñ et prendeñ quocunq; tempore intra piscationem dicť lie Cruives tam bene intra dicť lie Cruives quam infra easdem super dicť aquam de Don extendeñ ad sextam et septimam piscem omnis generis piscium prendeñ super dicť aqua, dictis præposito ballivis et decano gildæ et eorum successoribus pro usu et beneficio communitatis dicti burgi, De nobis et successoribus nostris superioribus ejusmodi, in feodo et hereditate in perpetuum, per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine, et sicut tales pisces capiuntur per omnes partes et bondas dicť piscationis supra dicta aqua de Don cum omnibus partibus et privilegijs, etc. REDDENDO inde annuatim dicti præpositus ballivi decanus gildæ, Concilium et communitas dicti burgi de Aberdein præsenti rectori de St. Nicolas et ejus

More thereanent, of date the fifteenth day of the month of May in the year of our Lord one thousand seven hundred and one: To be held of us and our successors in manner subscribed, and this in such due and competent form as accords, as the authentic instruments therefrom taken in the hands of Master Arthur Forbes, notary public, more fully set forth. TO BE HELD AND HAD the said fishing with the pertinents thereof whatsoever, to be caught or taken, whether by way of teinds or of temporalities, or in any other way, at any time whatsoever, within the said fishing of the Cruives as well within the said Cruives as below the same upon the said water of Don, extending to the sixth and seventh fish of all kinds of fishes caught upon the said water, by the said provost, baillies and dean of guild and their successors, for the use and benefit of the community of the said burgh, of us and our successors superiors thereof, in fee and heritage for ever, by all their right meiths, ancient and divided, as they lie in length and breadth, and as such fishes are taken through all the parts and bounds of the said fishing on the said water of Don, with all the parts and privileges, etc. PAYING therefor yearly the said provost, baillies, dean of guild, council and community of the said burgh of Aberdeen to present rector of St Nicholas, and his

successoribus curam servieñ apud dict̃ Ecclesiam tanquam jus habeñ virtute dispositionis concess^{o} per Patricium Episcopum de Aberdein de data decimo quarto die mensis Aprilis anno Domini millesimo sexcentesimo et decimo tertio summam viginta octo libras monetæ Scotiæ. Et similiter Reddendo nobis et successoribus nostris tanquam devenieñ in locum dicti Episcopi summam undecem solidorum et octo denariorum monetæ prædict̃ ad duos anni terminos festa Viz. pentecostes et Sti Martini hieme per æquales portiones nomine feudifirmæ, Et si contigerit dict̃ præpositum, ballivos, decanum gildæ, Concilium et communitat̃ dicti burgi seu eorum successores deficere in solutione prædictæ feudifirmæ annuatim et terminatim ut prædicitur sicut unus terminus curret in alium non solut̃, Tunc illi duplicabunt dictam feudifirmam, Et si duo termini current in tertium non solut̃ post legitimam requisitionem eacirca faciend̃, Tunc præsens infeofamentum nostrum cadet et expirabit et postea nullius valoris aut momenti erit. Et in eo casu legitimum erit nobis nostrisq; prædict̃ super dicta piscatione ad placitum disponere, pro omni alio onere, etc. Insuper vicecomiti et ballivis suis de Aberdein, necnon dilectis nostris

et eorum quilibet conjunctim et divisim vicecomitibus

successors serving the cure of the said church, as having right by virtue of the disposition granted by Patrick, Bishop of Aberdeen, of date the fourteenth day of the month of April in the year of our Lord one thousand six hundred and thirteen, the sum of twenty-eight pounds money of Scotland: And likewise paying to us and our successors, as coming in place of the said Bishop, the sum of eleven shillings and eight pence money aforesaid at two terms of the year, viz., the feast of Pentecost and of St Martin in winter, by equal portions in name of feufarm. And if it shall happen that the said provost, baillies, dean of guild, council and community of the said burgh, or their successors, fail to pay the foresaid feu-duty yearly and termly as aforesaid, so that one term shall run into another unpaid, then they shall double the said feu-duty; and if two terms shall run into a third unpaid, after the lawful requisition to be made thereanent, then our present infeftment shall fall and expire, and shall afterwards be of no strength or moment. And in that case it shall be lawful for us and our foresaids to dispone the said fishings at pleasure, for all other, etc. Moreover, to the sheriff and his baillies of Aberdeen, as also to our beloved and each of them conjointly and severally our sheriffs of the shire of Aberdeen in this part

nostris in hac parte vicẽ de Aberdein specialiter constituẽ Salutem, Vobis præcipimus et mandamus quatenus præfaẽ præposito Joanni Allardyce, ballivis decano gildæ, Concilio et communitati dicti burgi de Aberdein, vel eorum certo actornato latori presentium, sasinam dicẽ Salmonum piscationis cum pertineñ ejusdem quibuscunq; jaceñ ut præfertur secundum formam et tenorem antedictæ Cartæ nostræ quam de nobis inde habent juste haberi faciatis sine dilatione. Et hoc nullo modo omittatis. Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim vicecomitibus nostris vicẽ de Aberdein in hac parte antedicẽ, committimus potestatem. IN CUJUS rei testimonium huic presenti Cartæ nostræ Magnum Sigillum nostrum appendi mandavimus, Testibus [ut in alijs Cartis consimilis data præcedeñ] Apud Edinburgum trigesimo primo die mensis Julij anno Domini millesimo septingentesimo secundo et anno regni nostri primo.

LIII.

GEORGIUS Dei Gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideiq; defensor OMNIBUS probis hominibus totius terre sue clericis et

specially constituted, greeting: We charge and command you without delay to give in due form to the foresaid provost, John Allardyce, the baillies, dean of guild, council and community of the said burgh of Aberdeen, or their undoubted attorney bearing these presents, sasine of the said salmon fishing, with the pertinents thereof whatsoever lying as aforesaid, according to the form and tenor of our foresaid charter, which they have of us thereupon; and this in no wise to omit. For which end we grant power to you and each one of you, conjointly and severally our sheriffs of the shire of Aberdeen in this part aforesaid. In witness whereof we have ordered our great seal to be appended to this our present charter. Witnesses [as in other previous charters of like date]. At Edinburgh, the thirty-first day of the month of July in the year of our Lord one thousand seven hundred and two, and of our reign the first.

LIII.

King George II. grants to the provost, baillies, etc., the teinds of the parish of St. Nicholas. 16*th June*, 1737.

GEORGE, by the grace of God King of Great Britain, France and Ireland, Defender of the Faith, TO ALL good men of his whole land, churchmen and

Laicis Salutem QUIA Nos considerantes Ecclesiam Sancti Nicolai intra burgum de Aberdeen esse principalem Ecclesiam parochialem dict̃ civitatis et olim fuisse propriam Ecclesiam Episcopi Abredonensis Et quod suppresso in Scotia Episcopatu Carolo primo Regi beatæ memoriæ benigne visum est ad pastores curæ apud dict̃ Ecclesiam inservientes melius suppeditandos et sustentandos DARE et MORTIFICARE Præposito Balivis Consiliariis et Communitati dicti Burgi de Aberdeen eorum̃ in officio Successoribus Totas et integras Decimas Rectorias et Vicarias dict̃ Ecclesiæ et parochiæ Sancti Nicolai Secundum Cartam sub magno Sigillo Scotie concess̃ undecimo die Novembris anno Domini Millesimo Sexcentesimo quadragesimo primo Que Carta decimo septimo die dict̃ mensis Novembris in Parliamento Scotie ratificata fuit et Sasina dict̃ Communitati desuper data Et quod mense Aprilis Anno Domini Millesimo Sexcentesimo Sexagesimo primo Carolus Secundus Rex beatæ memoriæ warrantum sub manu sua regali concessit pro carta confirmationis omnium priorum donationum aliorumve jurium per Regios suos Prædecessores in favorem dict̃ civitatis concess̃ quod ineffi-

laymen, greeting. WHEREAS We, considering that the church of St. Nicholas, within the burgh of Aberdeen, is the chief parish church of the said city, and was formerly the proper church of the bishop of Aberdeen, and that on the suppression of Episcopacy in Scotland it seemed fit to King Charles I. of blessed memory to GIVE and MORTIFY to the provost, baillies, councillors and community of the said burgh of Aberdeen, and their successors in office, for the better support and maintenance of the ministers serving the cure in the said church, all and whole the parsonage and vicarage teinds of the said church and parish of St. Nicholas, according to the charter granted under the great seal of Scotland on the eleventh day of November in the year of our Lord one thousand six hundred and forty-one,* which charter was ratified in the Parliament of Scotland,† and sasine thereon given to the said community, on the seventeenth day of the said month of November, and that in the month of April, in the year of our Lord one thousand six hundred and sixty-one, King Charles II. of blessed memory granted a warrant under his royal hand for a charter of confirmation of all former gifts or other rights granted by his royal predecessors in favour of the said city,‡ which was rendered void

* No. XLVII., p. 199. † No. XXV., p. 258. ‡ No. XLIX., p. 204.

cax redditum fuit quoad decimas per Restitutionem Episcopatus anno Domini millesimo Sexcentesimo Sexagesimo secundo ET NOS ETIAM Considerantes quod jus dict̃ decimarum per Leges in Nos revertit et nunc nr̃æ Regiæ donationis et Dispositionis est Et quod dict̃ decimæ ad sustentandos pastores curæ infra dict̃ parochiam inservientes naturaliter designantur Et quod applicatio earundem in dict̃ usum ad Relevium dict̃ Magistratuum et Communitatis magnopere tenderet qui nullam Stipem habentes pro maxima parte pastorum Stipendiorum solvenda pecunias hunc in finem mutue accipere necessario coguntur ex quo debitum Communitatis valde auctum est et semper crescere opportet ET NOS ex Regia nostra Benignitate et Benevolentia Volentes decimas dict̃ parochiæ magistratibus et Communitati dict̃ Burgi De Novo Dare et Mortificare ad pastores apud dict̃ Ecclesiam curæ inservientes melius suppeditandos et sustentandos Et Communitatem pro tanto de Stipendiis pastoribus ejusdem solubilibus relevandam Igitur Et tanquam insigne nostræ Regiæ Benevolentiæ erga magistratus et Incolas dict̃ Civitatis Iudicium Et pro multis magnis et insignibus Servitiis per illos nobis nostrisq; Regiis prædecessoribus factis et præstitis Nos cum

with respect to the teinds by the restoration of Episcopacy in the year of our Lord one thousand six hundred and sixty-two; AND WE ALSO, considering that the right to the said teinds did by law revert to us and is now in our royal gift and disposal, and because the said teinds are naturally designed to maintain the ministers serving the cure within the said parish, and because the application thereof to the said use would tend very greatly to the relief of the said magistrates and community, who, having no endowment for paying the greater part of the ministers' stipends, are of necessity compelled to borrow money therefor, whereby the debt of the community has been much increased and must always continue to increase; AND WE, of our royal favour and benevolence, wishing of new to give and mortify the teinds of the said parish to the magistrates and community of the said burgh for the better support and maintenance of the ministers serving the cure in the said church and for the relief of the community *pro tanto* from payment of the ministers' stipends: Therefore, and as a prominent mark of our great favour for the magistrates and inhabitants of the said city, and in return for many great and eminent services done and rendered by them to us and our royal predecessors, We, with special advice and consent of Matthew Lant, Esquire, lord chief baron

speciali Avisamento et consensu Mathei Lant Armigeri Domini capitalis Baronis Scaccarij nostri in illa parte Magnæ Britaniæ Scotia vocat̃ Domini Ioannis Clerk de Pennycuick Georgii Dalrymple Thome Kennedy et Edwardi Edlin Armigerorum reliquorum Baronum dict̃ Scaccarij Dedimus Concessimus Mortificavimus Et pro perpetuo Confirmavimus Sicuti tenore præsentium cum avisamento et consensu prædict̃ Damus Concedimus et Mortificamus Et pro nobis nostrisq; Regiis Successoribus pro perpetuo Confirmamus nostris dilectis Præposito Balivis Consiliariis et Communitati dict̃ civitatis de Aberdeen nunc præsentibus eorumque successoribus pro perpetuo omni tempore futuro Totas et integras Decimas dict̃ parochialis Ecclesiæ et parochiæ Sancti Nicolai Rectorias et viccarias cum integris proficuis Libertatibus et pertinentibus earundem ET NOS VOLUMUS et Declaramus Quod hæc præsens Carta nullo modo intelligetur tanquam donatio ullius additionalis Stipendii pastoribus dict̃ Burgi plusquam pro præsenti illis a Magistratibus et Communitate stabîlitur Sed vera intentio et significatio hujus donationis est quod dict̃ decimæ in solutionem dict̃ Stipendiorum pro tanto applicando sint ob relevium Communitatis et Incolarum dict̃ Burgi de iisdem Stipendiis ad dict̃ decimarum valorem et extentum Et nos cum consensu prædict̃ unimus et annexamus dict̃ decimas ad

of our Exchequer in that part of Great Britain called Scotland, John Clerk of Pennycuick, George Dalrymple, Thomas Kennedy, and Edward Edlin, esquires, remanent barons of the said Exchequer, have given, granted, mortified and for ever confirmed, as by the tenor of these presents, with advice and consent aforesaid, We give, grant and mortify, and for us and our royal successors for ever confirm, to our beloved provost, baillies, councillors and community of the said city of Aberdeen at the present time, and their successors for ever in all time to come, All and whole the teinds of the said parish church and parish of Saint Nicholas, parsonage and vicarage, with whole profits, liberties and pertinents thereof. AND WE WILL and declare that this present charter is in nowise to be understood as a gift of any additional stipend to the ministers of the said burgh over and above what is at present guaranteed to them by the magistrates and community, but the true intention and meaning of this gift is that the said teinds be applied *pro tanto* in payment of the said stipends to relieve the community and inhabitants of the said burgh from the same stipends, to the value and extent of the said teinds. And we with

dict̃ Burgum de Aberdeen ET ORDINAMUS quod unica Sasina capiend̃ per dict̃ Præpositum Balivos Consiliarios et Communitatem apud crucem foralem dict̃ Burgi de Aberdeen vel super solo cujusvis partis vel portionis dict̃ terrarum intra dict̃ parochiam Sancti Nicolai per traditionem manipuli Graminis vel Segitis dict̃ terrarum solummodo sine ullo alio symbolo Est et erit valida et sufficiens Sasina pro dict̃ totis et integris decimis Rectorijs et viccarijs pro perpetuo omni tempore futuro absq; necessitate novam Sasinam postea capiendi TENENDŨ et HABENDŨ dict̃ totas et integras Decimas Rectorias et vicarias dict̃ parochiæ quæ jacet in vicecomitatu de Aberdeen dict̃ præposito Balivis Conciliariis et Communitati dict̃ Burgi eorumque Successoribus De nobis nostrisq; Regiis Successoribus in puram Elemosinam pro perpetuo cum libero introitu et exitu ac cum omnibus aliis libertatibus proficuis et commoditatibus ad easdem spectantibus Libere quiete bene et in pace sine ulla revocatione obstaculo aut impedimento quocunq; REDDENDO inde præces Deo Omnipotenti pro nostro et nostrorum Regiorum Successorum felici et prospero Regno Necnon applicando dict̃ decimas in solutionem Stipendiorum pastoribus dict̃ Burgi stabilit̃ et Relevando dict̃ Com-

consent aforesaid unite and annex the said teinds to the said burgh of Aberdeen. AND WE ORDAIN that a single sasine to be taken by the said provost, baillies, councillors and community at the market cross of the said burgh of Aberdeen, or upon the ground of any part or portion of the said lands within the said parish of St. Nicholas, by delivery of a handful of the grass or corn of the said lands only without any other symbol, is and shall be a valid and sufficient sasine for all and whole the said teinds, parsonage and vicarage, for ever in all time to come, without the necessity of taking a new sasine afterwards. TO BE HELD AND HAD all and whole the said teinds, parsonage and vicarage, of the said parish, which lies in the shire of Aberdeen, by the said provost, baillies, councillors and community of the said burgh and their successors, of us and our royal successors, in pure alms for ever, with free ish and entry, and with all other liberties, profits and advantages belonging thereto, freely, quietly, well and in peace, without any revocation, obstacle or hindrance whatsoever. RENDERING therefor prayers to Almighty God for a happy and prosperous reign for us and our royal successors; as also applying the said teinds to pay the stipends guaranteed to the ministers of the said burgh, and relieving the said community and inhabitants from the said stipends to

munitatem et Incolas de dict̃ Stipendiis ad dict̃ decimarum valorem et extentum PRÆTEREA NOS VOLUMUS ET DECLARAMUS quod hæc præsens Carta cuivis personæ seu personis jus seu titulum ad decimas dict̃ parochiæ vel ullius ejusdem partis per assedationem seu aliter habeñ nullatenus lædet seu præjudicabit Insuper vicecomiti et Balivis suis de Aberdeen nec non Dilectis nostris

Et vestrum cuilibet conjunctim et divisim vicecomitibus nostris vič de Aberdeen in hac parte specialiter constitut̃ salutem Vobis Præcipimus et mandamus Quatenus Præposito Balivis Conciliariis et Communitati dict̃ Civitatis de Aberdeen nunc præsentibus eorumq; Successoribus pro perpetuo omni tempore futuro vel eorum certo Actornato latori præsentium Sasinam Totarum et integrarum Decimarum dict̃ parochialis Ecclesiæ et parochiæ Sancti Nicolai Rectoriarum et vicariarum cum integris proficuis libertatibus et pertinentiis earundem (sub declaratione tamen supramentionat̃) Secundum formam et tenorem antedict̃ Cartæ nostræ quam de nobis inde habent unionis annexationis et dispensationis prædict̃ juste haberi faciatis sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim vicecomitibus nostris vič de Aberdeen in hac parte antedict̃ Committimus potestatem In

the value and extent of the said teinds. FURTHER, WE WILL AND DECLARE that this present charter shall in nowise hurt or prejudice any person or persons having right or title by tack or otherwise to the teinds of the said parish or of any part thereof. Moreover, to the sheriff and his baillies of Aberdeen and to our beloved and to each one of you, conjointly and severally, our sheriffs of the shire of Aberdeen, in this part, specially constituted, greeting: We charge and command you without delay to give in due form to the provost, baillies, councillors and community of the said city of Aberdeen for the time being, and their successors for ever in all time to come, or their undoubted attorney bearing these presents, sasine of all and whole the teinds of the said parish church and parish of St. Nicholas, parsonage and vicarage, with whole profits, liberties and pertinents thereof (under, however, the declaration aforesaid), according to the form and tenor of our foresaid charter of union, dispensation and annexation aforesaid, which they have of us thereupon; and this in nowise to omit. For which end we grant power to you and each one of you, conjointly and severally, our sheriffs of the shire of

cujus rei testimonium huic præsenti Cartæ nostræ sigillum nostrum per unionis tractatum custodiend et in Scotia vice et loco magni Sigilli ejusdem utend ordinat̃ appendi mandavimus Testibus prædilecto nostro consanguineo Carolo Comite de Selkirk nobis ab Archivis et Registris clerico et prædilectis nostris Andrea Fletcher de Milntown nostræ Justiciariæ clerico et Roberto Kerr Armigero nostræ cancellariæ directore Apud Aulam Nostram de St. James's decimo sexto die mensis Iunij anno Domini millesimo septingesimo trigesimo septimo Regniq, nostri anno undecimo

LIV.

GEORGIUS TERTIUS Dei gratia Britanniarum Rex fidei defensor OMNIBUS probis hominibus totius terræ suæ Clericis et Laicis salutem SCIATIS Quod Nos propter favorem quem habemus erga prædilectos nostros Præpositum Balivos Thesaurarium Concilium et Communitatem

Aberdeen in this part aforesaid. In witness whereof we have ordered to be appended to this our present charter our seal ordained by the treaty of Union to be preserved and used in Scotland in stead and in place of the great seal thereof. Witnesses: Our well-beloved cousin, Charles, Earl of Selkirk, clerk of our archives and registers; and our well-beloved Andrew Fletcher of Milntoun, our Justice Clerk; and Robert Kerr, Esquire, Director of our Chancery. At our Court of St. James', on the sixteenth day of the month of June in the year of our Lord one thousand seven hundred and thirty-seven, and of our reign the eleventh.

LIV.

King George III. grants to the Treasurer of Aberdeen, for behoof of the provost, baillies, etc., the right of salmon fishing in the sea adjacent to the burgh lands in Kincardineshire. 1*st February*, 1804.

GEORGE the THIRD, by the grace of God King of Britain, Defender of the Faith, TO ALL good men of his whole land, churchmen and laymen, greeting. KNOW YE that for the favour which we have towards our well-beloved provost, baillies, treasurer, council and community of the city of

Civitatis de Aberdeen cum speciali avisamento et consensu Roberti Dundas Armigeri curiæ Scaccarii nostræ in hac parte regni nostri Magnæ Britanniæ Scotia vocata Capitalis Baronis Fletcheri Norton Armigeri Domini Joannis Dalrymple Hamilton M^c^Gill Baronetti Archibaldi Cockburn et Georgii Buchan Hepburn Armigerorum dic^t^ Scaccarii nostri remaneñ Baronum DEDIMUS Concessimus et Disposuimus sicuti nos per præsentes cum avisamento et consensu prædic^t^ Damus Concedimus et Disponimus et pro Nobis nostrisque regiis successoribus in perpetuum CONFIRMAMUS dicto Thesaurario Civitatis de Aberdeen atque successoribus suis hunc Magistratum gesturis pro commodo dicti Præpositi Balivorum Thesaurarii Concilii et Communitatis dictæ Civitatis et eorum Assignatis hæreditarie et irredimabiliter JUS SALMONUM PISCATIONIS in Mari adjacenti terris in quibus dictus Thesaurarius pro commodo prædicto stat hæreditarie infeodatus et sasitus in Vicecomitatu de Kincardine per Littus Maris jacentibus ATQUI per præsentes specialiter providetur et declaratur quod dic^t^ Jus Piscationis non extendetur versus septentrionem ultra promontorium voca^t^ Girdleness nec versus meridiem ultra Lapidem Numero decimo signatum in quadam Ichnographia dic^t^ terrarum et Littoris Maris in

Aberdeen, with the special advice and consent of Robert Dundas, Esquire, Chief Baron of our Court of Exchequer in that part of our kingdom of Great Britain called Scotland; Fletcher Norton, Esquire; Sir John Dalrymple Hamilton M'Gill, Baronet; Archibald Cockburn and George Buchan Hepburn, Esquires, remanent Barons of our said Exchequer, WE HAVE GIVEN, granted, and disponed, as we by these presents with advice and consent aforesaid do give, grant and dispone, and for us and our royal successors for ever CONFIRM to the said treasurer of the city of Aberdeen, and his successors who shall hold this office, for behoof of the said provost, baillies, treasurer, council and community of the said city, and their assignees, heritably and irredeemably, THE RIGHT OF SALMON FISHING in the sea adjacent to the lands in which the said treasurer stands heritably infeft and seised for the foresaid behoof, lying in the shire of Kincardine along the sea-shore: BUT by these presents it is specially provided and declared that the said right of fishing shall not extend northward beyond the promontory called the Girdleness, nor southward beyond a stone marked with the number ten in a certain plan of said lands and sea-shore lodged in our said Court of Exchequer: WITH

dicta Curia Scaccarii nostra collocata CUM potestate dicto Thesaurario suisque prædictis talibus Cymbis et Retibus utendi quales ad eandem Piscationem aptas fore judicaverint Atque omnes alios cohibendi nequando intra dictos limites piscentur ET NOS volumus et concedimus et pro Nobis nostrisque regiis successoribus decernimus et ordinamus Quod sasina per dic:' Thesaurarium suosque prædic:' suscipienda nunc et in omni tempore futuro supra Ripas dic:' Piscationum per traditionem Retis et Cymbæ est et erit valida et sufficiens Sasina pro dicta Salmonum Piscatione sine usu cujusvis alius symboli Quocirca Nos dispensavimus et per præsentes in perpetuum dispensamus TENEÑ et HABEÑ dictam Salmonum Piscationem supra disposi:' cum privilegiis prædic:' per dic:' Thesaurarium suosque prædictos de Nobis regiisque nostris successoribus in libera alba firma feodo et hæreditate in perpetuum REDDENDO INDE ANNUATIM dicto Thesaurario suisque prædictis Nobis nostrisque regiis successoribus summam unius denarii monetæ Scotiæ in Prætorio Municipali de Aberdeen ad terminum Pentecostes annuatim si petatur tantum Et hoc pro omni alio onere exactione demanda seu servitio seculari quæ pro dic:' Salmonum Piscatione quovismodo exigi sive imperari potuerint INSUPER Vicecomiti et Balivis suis de Kincardine Necnon dilectis

power to the said treasurer and his forsaids to use such cobles and nets as they may judge to be fit for the same fishing, and to restrain all others at any time from fishing within the said limits. AND WE will and grant, and for us and our royal successors decern and ordain, that a sasine to be taken by the said treasurer and his foresaids on the banks of the said fishings, by delivery of net and coble, now, and in all time coming, is and shall be a valid and sufficient sasine for the said salmon fishing, without the use of any other symbol, wherewith we have dispensed, and by these presents do dispense for ever. TO BE HELD and HAD the said salmon fishing above disponed, with the privileges foresaid, by the said treasurer and his foresaids of us and our royal successors in free blench-farm fee and heritage for ever. PAYING THEREFOR YEARLY the said treasurer and his foresaids to us and our royal successors the sum of one penny of Scots money in the Burgh Courthouse of Aberdeen, at the term of Pentecost yearly, if asked only: And this in place of all other burden, exaction, demand or secular service which for the said salmon fishing could be any wise exacted or demanded. MOREOVER, to the

nostris et vestrum cuilibet conjunctim et divisim Vicecomitibus nostris Vicecomitatus de Kincardine in hac parte specialiter constitut: Salutem vobis præcipimus et mandamus Quatenus præfato Thesaurario Civitatis de Aberdeen vel suo certo Actornato latori præsentium atque successoribus suis hunc Magistratum gesturis pro commodo dicti Præpositi Balivorum Thesaurarii Concilii et Communitatis dictæ Civitatis Sasinam præfati Juris Salmonum Piscationis supra deposit: cum privilegiis prædic: secundum formam et tenorem antedictæ Cartæ nostræ quam de Nobis inde habet et dispensationis prædic: juste haberi faciatis sine dilatione Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim Vicecomitibus nostris Vicecomitatus de Kincardine in hac parte antedic: committimus potestatem IN CUJUS REI TESTIMONIUM huic præsenti Cartæ nostræ Sigillum nostrum per Unionis Tractatum custodiend et in Scotia vice et loco Magni Sigilli ejusdem utend ordinat: appendi mandavimus TESTIBUS PRÆDILECTIS nostris Domino Frederico Campbell Nobis ab Archivis et Registris Clerico Davide Rae de Eskgrove Armigero nostræ Justitiariæ Clerico et Domino Jacobo

sheriff and his baillies of Kincardine, as also to our beloved and any one of you, conjointly and severally, our sheriffs of the shire of Kincardine, in this part specially constituted, greeting: We charge and command you without delay to give in due form to the foresaid treasurer of the city of Aberdeen, or his undoubted attorney bearer of these presents, and his successors holding this office, for behoof of the said provost, baillies, treasurer, council and community of the said city, sasine of the foresaid right of salmon fishing above disponed, with the foresaid privileges, according to the form and tenor of our foresaid charter which he has of us thereupon, and of the foresaid dispensation; and this in nowise to omit. For which end we grant power to you and each one of you, conjointly and severally, our sheriffs of the shire of Kincardine in this part aforesaid. IN WITNESS WHEREOF we have ordered to be appended to this our present charter our seal ordained by the Treaty of Union to be kept and used in Scotland in stead and in place of the great seal thereof. WITNESSES: OUR WELL-BELOVED Lord Frederic Campbell, clerk of our archives and registers, David Rae of Eskgrove, Esquire, our Justice Clerk, and Sir James St. Clair Erskine of

St. Clair Erskine de Sinclair Baronetto nostræ Cancellariæ Directore APUD Aulam nostram de St. James's primo die mensis Februarii Anno Domini millesimo octingentesimo et quarto regnique nostri anno quadragesimo quarto

Sinclair, Baronet, Director of our Chancery. AT our Court of St. James's, the first day of the month of February in the year of our Lord one thousand eight hundred and four, and of our reign the forty-fourth.

PART II.

ACTS OF PARLIAMENT

AND OF

PRIVY COUNCIL

ACTS OF PARLIAMENT AND PRIVY COUNCIL.

I.

The Parliament appoint the Lords of Session to sit annually at Aberdeen. 6th March, $145\frac{7}{8}$.

INPRIMIS as to þe artikill of the Sessione it is seyne speidfull to þe king ande þe thre estatꝭ þt it be cõtynuit to þe nixt p̃liamẽt in mañ as eft folowys That is to say þe lordꝭ of the Sessione sall syt thrys in þe ȝeĩ ilk time xi dais in þir thre placꝭ Edinburghe perthe and abyrdene The nowm of þe p̃sõis þt sall sit salbe ix haifande power and votis in þe delibance of caus of ilke Estate thre and þe clerk of þe Regest The Sessione nowe nixt to begin ⁊ be haldin at abirdene þe xv day of Junij and cõtinuande xl dais The secunde Sessione to begyne at perthe þefft þe v day of october and cõtinew vp xl dais The thride Sessione to begyn in Edinburghe þe xiij day of februare next þefft and ꝗtinew xl dais The lordꝭ þt ar chosyne to þe first Sessione in abyrdene ar þir The Bischope of Ros catnes or mrray þ abbot of deĩ dene Dauid bane and maist walt ydyll for þe clergy þe Erle of Errole þe lorde glãmys ande þe lord forbes for þe baroñys Jhone of fyffe Andro mẽȝeis and walt thomsone of Inñes for þe burowys

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II.

The Parliament appoint the measure of Hamburg, after the old assise of Aberdeen, to be the standard barrel for fish. 1st June, 1478.

Item becaus It is hevili mrmrrit ⁊ þ Realme gretly sklandit be strangerꝭ ⁊ vþis þt byis salmond of þe mynising of vesschiall ⁊ barellis þt þe salmond Is pakit In It is statut ⁊ ordanit þt ĩ time to cũ all salmonde be pakit ĩ barellis of þ measuĩ of hamburgh eft þe ald assise of Abirdene And na smallaĩ barell noĩ veschell And þt na coup within þe Realme mak smallaĩ barell to pak fische ĩ þã þe said measuĩ of

hamburgh ꝑt ald assise of aberdene And gif ony dois ī þe cōtraī of þ's In time to cū þe first sellaī þt sellis þe fische of fals᷑ paking ī sic small barellis sall tyne þe fische And be ouī soũaī lordꝭ escaete And þt þe kingꝭ custumarꝭ salbe sercheorꝭ heīuppoñ ī Ilk tovne And als᷑ It salbe a poynt of ditta* ī tyme to cū

III.

The Privy Council ordain the provost, baillies, etc., to uphold the Friars' Places for the common good of the burgh. 15*th February*, $156\frac{1}{2}$.

Mairour hir Hienes, be the avyse of hir Counsale foirsaid, hes statute and ordanit that all annuellis, males and dewiteis within fre burrowis or utheris townis of this realme, alsweill pertenyng to chapellanreis, prebendariis as to freris, togidder with the rentis of the freris landis quhairevir thaī be, setting and disponyng thairupoun, be intromettit with and takin up be sik as hir Grace sall depute thairto, for employing of the same be hir Hienes to hospitaliteis, scolis, and utheris godlie uses as sall seme best be hir Hienes, be the avyse of hir Counsale: And knawing that nathing is mair commodious for the said hospitalitie, nor the places of freris, as ȝit standand undemolissit, as als to the intertenyng of scolis, collegis, and utheris usis foirsaidis, ordanis the Provest and Baillies of Abirdene, Elgin in Murray, Invernes, Glasgow, and utheris burrowis of this realme quhair the samyn ar nocht demolissit, to interteny and uphald the saidis freris places standand in the saidis townis, upon the commone gudis thairof, and to use the samyn to the commone weill and service of the saidis townis, ay and quhill the Quenis Majestie be forther avysit, and tak finale ordour in sic thingis; nochtwithstanding ony uther gift, title, or interes, gevin to quhatsumevir personis of the saidis places, with thair yardis, orchardis, and pertinentis, be our Soverane Lady of befoir.

IV.

The Privy Council absolve the community for any acts done under the ascendency of Huntly. 12*th July*, 1569.

At Abirdene the xii day of Iulii the ȝeir of God j^{m}v^{c}lxix ȝeris, my Lord Regentis Grace commandit and ordanit the lettre and discharge

* *Dittay*, the ground of indictment,

following, subscrivit with his hand, to be insert and registrat in the bukis of Secreit Counsale ad perpetuam rei memoriam, of the quhilk the tennour followis:—We havand consideratioun of the procedingis of the burgessis and inhabitantis of the burgh of Abirdene, anent the assisting, contributioun, and stent making in tyme bipast, with George Erll of Huntly, and his complices partakaris, contrair our Soverane Lordis authoritie, understanding the samyn done be feir and compulsioun, thair gude mynd and will beand to the trew service of our Soverane. Thairfoir we, with avise of the Lords of Secreit Counsale, dischargeis for evir all actioun and cryme that ony wayis may be imput to the burgessis of the said burgh, and indwellaris in the samyn, and all our Soveranis officiaris present and to cum, of all proceding contrair thame twicheing the premissis; alwayis at thir presentis extend nocht nor comprehend the burgessis and indwellaris of the same burgh that hes acceptit componitur for the samyn crymes, nor 3it the personis that ar summond or to be summond for fals cryme at ony tyme; and thir presentis to be insert in the bukis of Secreit Counsall in forme of Act, with extension necessar. Subscrivit with our hand at Abirdene the xii day of Iulii the 3eir of God j^{m}v^{c}lxix 3eris.

V.

The Privy Council issue injunctions to the provost, baillies, etc., in furtherance of the principles of the Reformation. 18th August, 1574.

The quhilk day comperit Gilbert Mein3eis of Cowlie, Maister Patrik Rutherfurde, Maister George Middiltoun, and Alexander Chalmer, Baillies of Aberdene, quhilkis uer admoneist be my Lord Regentis Grace in presence of the Lordis of Secreit Counsall, in maner and to the effect following:—

That thay suld inhibite and expreslie punishe the superstitious keping of festuall dayis usit of befoir in tyme of ignorance and papistrie, and all playis and feisting at thay tymes.

That thai punishe the blasphemaris and abusaris of Godis name, and appoint sum honest and godlie personis to note the offendouris, lifting the panys contenit in the Acts of Parliament, and apprehend the same according thairto.

That thai permitt na mercat to be kepit uithin the toun nor fredome

thairof upoun the Sabboth day, quhairby the people may be withdrawin fra the serving of God, under the pane of escheting of the guidis that salbe presentit to the saidis mercattis, conforme to the Act of Parliament maid thairanent; gevand, grantand, and committand to the saidis Provest and Baillies commissioun, power, and charge sa to do, as thai will answer upoun thair obedience.

That the persounis knawin and suspectit to haif and keip ymagerie or utheris monumentis of ydolatrie be chargeit to present the same.

That the organis with all expeditioun be removed out of the kirk, and maid proffite of to the use and support of the pure, and that the preystis stallis and bakkis of altaris be removed furth of the places quhair thai now remane, and situat in the partis of the kirk quhair men may be best easit be thame to heir the sermonis, and sic thingis as servis not for that use to be utherwyise disponit or maid money of.

That the pure be not defraudit of the almus collectit at the kirk dur, bot the same to be distributit as is the custum in the utheris reformit kirkis of this realme; and that thair be contributioun maid be all the parochynaris for leting and reparatioun of the paroche kirk, according to the Act of Parliament maid thairanent, quhairanent ordanis the Provest and Baillies to do diligence.

That the haill place, alsweill kirk as the rest, sumtyme pertening to the Gray Freiris—except samekle as is thocht requisite for the ludgeing of the pure—be roupit to the maist avale, and sett in few heretabillie to sic as will gif maist ȝeirlie dewitie thairfore, and the same to be fully applyit to the use and sustentatioun of the pure.

That the Provest and Baillies in thair awin houssis tak cair upoun the godlie rewlling thairof, and admonishe all utheris thair nichtbouris to do the like, and that thai cullour nor foster not the vices and slaunderis of thair tenentis and houshald servandis, bot further the correctioun of thaim as thai sal happin to offend, ather be ordour of the kirk or the magistrattis, as the cause requyris.

That the Provest, Baillies, and Counsall of Abirdene uptak fra Iames Leslie, present possessour of the croft and myre pertening to the lipperfolk betwix New and Auld Aberdene, the ȝeirlie dewitie thairof, off the fyve ȝeiris bigane confessit awand be him; and thairwith and sic uther collectioun as may be had, to caus the said hous be theikkit and reparit

for the ressett of the said lipperfolk in tyme cuming; and efter the end of the ane 3eiris tak now clamyt be the said Iames Leslie, to caus rowp the said croft and myre quha will gif maist 3eirly dewitie thairfore fra thre 3eir to thre 3eir, and to caus the haill proffite that may be had thairof be employit upoun the uphalding of the said hous and sustentatioun of the lipperfolkis that salbe thairin.

VI.

The Privy Council approve a bond or obligation to loyalty and good service presented by the community of Aberdeen. 31*st August*, 1574.

The quhilk day, in presence of my Lord Regentis Grace and Lordis of Privie Counsall, comperit Maister Robert Lummisden in name of the Provost Baillies and Communitie of the Burgh of Abirdene and gaif in this bond and obligatioun underwrittin,—subscrivit be Mr. Iohne Kennedy commoun clerk of the said burgh, and under the commoun seill of the samyn,—and desyrit the samyn to be actit and registrat in the buikis of Secreit Counsall, to have the force and strenth of ane act and decreit of the Lordis thairof in tyme cuming, and letters and executoriallis to be direct thairupoun in forme as efferis; quhilk desyre my Lord Regentis Grace finding ressonable, ordanit the same to be insert and registrat in the saidis buikis to the effect foirsaid, off quhilk the tennour followis: Be it kend till all men be thir present letters,—We, the Provest, Baillies, Counsall, and Communitie of Abirdene, to be bundin and oblist, and be the faith and treuth in oure bodyis faithfullie bindis and oblissis us, to the richt excellent, richt heich and michtie Prince Iames the Sext, be the grace of God King of Scottis, our Soverane Lord and his richt traist cousing Iames Erll of Mortoun Lord of Dalkeith Regent to his Hienes, his realme and liegis; that forsamekle as for the removing of the lait publict troublis and civile weir quhairwith this realme wes sa lang grevit and inquietit to the displeasure of Almichtie God, the danger of his trew religioun, hurt and prejudice of our Soverane Lord and haill commoun of this realme,—the said Lord Regent hes brocht to pas and concludit ane gude and godlie Pacificatioun, thairby—for publict quietnes caus; remitting not only greit and haynous crymes and offences to the personis properlie comprehendit in the said Pacificatioun, bot to divers

utheris, quhilkis notwithstanding the same micht justlie have been punist with rigour and extremitie; for quhilk favour and clemencie ressavit be us amangis utheris, we sall in all tyme cuming continew faithfull and obedient subjectis to our Soverane Lord, his auctoritie and Regent foirsaid, and sall never knaw of ony tressoun, rebellioun, skaith or danger, to be conspirit attemptit or interprisit aganis the same within or without this realme, quhilk we sall not reveill to his Hienes and his said Regent with all possibill diligence, and tak, apprehend and present all suspect persounis and writtingis, cuming in the realme or intending to depart thairfra be our port, in tyme cuming; and als that we sall na wyis resett, supple, assist, fortefie, schaw favour or mantene, ony of our Soverane Lordis present declarit tratouris and notorius rebellis, or utheris strangearis or borne subjectis of the realme that heirefter sall happin to conspire, usurp and rebell agains his Hienes, his said Regent and auctoritie, bot sall resist and repres thame to our utter power; and gif we be not abill to withstand thair force and invasioun, we sall remove our selffis, oure famileis and guidis furth of the said burgh to the partis of the realme than abyding in oure Soverane Lordis obedience, and concur with his faithfull liegis, to the defence and preservatioun of his estait and authoritie; quhairthrow the saidis declarit tratouris, rebellis, conspiratouris, and tribularis of the common weill, strangearis or utheris, sall not be aidit, suppleit, furnesit, harbureit or intertenit be us nor our moyen, or voluntary be our guidis, directlie or indirectlie. And in like maner that we sall on na wyis elect or admitt ony persoun or personis to the offices of Provestrie, Baillierie, Thesaurarie, Denerie of Gild, Commoun Clerkschip, or to be of the Counsall of the said Burgh at the Feist of Michaell—Michaelmes nix to cum—or thairefter in tyme cuming, bot sic personis as ar knawin zealous professouris of the trew and Christiane religioun, now publictlie precheit and be law establishit within this realme, and that hes bene and is knawin to be ernist and affectionat weilwillaris to the avancement and furthsetting of his Hienes auctoritie and service, as we sall answer to God and his Hienes upoun our allegeance and dewitie—under the pane of twentie thowsand pundis to be pait be us to his Majesties use, and tinsall of the fredome of the said Burgh for us and oure successouris perpetuallie. And attour we are content and consentis that this oure

band and obligatioun be actit and registrat in the buikis of our Soverane Lordis Previe Counsall and Sessioun, or ather of thame to have the strenth of ane Act, and decreit of the Lordis thairof, and that letters and executoriallis be direct thairupoun in forme as efferis. In witnes of the quhilk thing, to this our present band, promeise and obligatioun subscrivit be our commoun clerk at command, the commoun seill of our said Burgh is to be hungin. at the same Burgh the last day of August, the 3eir of God j^{m}v^{c} threscoir and fourtene 3eiris. Sic subscribitur: Ita est Magister Joannes Kennedy notarius publicius ac scriba burgi de Aberdene de mandato Prepositi, Ballivorum, Consulum, et Communitatis ejusdem burgi manu propria.

VII.

The Burgh's obligation to build a Hospital is recorded in the Register of Privy Council. 3rd September, 1574.

Be it kend till all men be thir present letters, We, the Provest, Baillies, Counsale, and communitie of the burgh of Abirdene; that forsamekill as oure Soverane Lord, with avise and consent of his rycht traist cousing, James Erll of Mortoun, Lord of Dalkeyth, Regent to his Hienes, his realme and liegis,—considering our procedingis in the resetting, assisting, contributioun and stent making with George Erll of Huntlie, Adam Gordoun of Auchindoun his broder, thair complices, tenentis, servandis, dependentis and partakaris during the tyme of the lait rebellioun and conspiracy aganis his Hienes and his authoritie, being of mynd for publict quietnes caus, to reduce all his Hienes subjectis to his full obedience respecting oure humble offeris faythfullie to continew in our dewitifull obedience, loyaltie and trew service to his Hienes and his authoritie in tyme cuming as oure band and obligatioun to that effect deliverit to my Lord Regentis Grace beris; and for certane compositioun hes dischargeit us for evir all actioun and cryme that may onywayis be imput to us for the caussis and crymes abouewrittin, as in the discharge thairupoun at mair lenth is expressit; of quhilk compositioun my Lord Regentis Grace of his mere favour and clemency, and in respect of oure trew service to be maid in tyme cuming hes frelie dischargeit to us the sowme of ane thowsand markis, and als hes

grantit ane uther thowsand markis of our said compositioun to the bigging and reparatioun of ane Hospitall within our said burgh for the harbring and ressett of the puyr and impotent personis of the same; thairfoir to be bundin and obleist, and be the tennour heirof faythfullie bindis and obleissis us and oure successouris, to bestow and employ the said sowme of ane thowsand markis money foirsaid upoun the bigging and reparatioun of the said Hospitall within our said burgh, within the space of fyve ȝeris eftir the dait heirof; quhilk we sall demonstrat and mak cleirlie knawin be true compt to oure Soverane Lord and his Regent at the end of the saidis fyve ȝeiris, but farder delay, fraude or gyle; and heirto we bind and obleissis us, as said is, in the stratest forme and sickir style of obligatioun that can be devisit or maid,—na remeid nor exceptioun of law to be proponit or allegeit in the contrair, renunceand the same for us and oure successouris for evir; and ar content and consentis that this obligatioun be actit and registrat in the bukis of Previe Counsale to have the strenth of ane Act and decreit of the Lordis thairof, and that letteris and executoriallis be direct thairupoun in forme as efferis: In witnes of the quhilk thing we have causit our commoun clerk be our commoun vote and consent subscrive this our band and obligatioun at the said burgh of Abirdene, the thrid day of September the ȝeir of God j^{m}v^{c}lxxiiii ȝeris, and alsua our commoun seill is affixt to the same. Sic subscribitur. Ita est Magister Joannes Kennedy notarius publicus ac scriba burgi de Abirdene de mandato Prepositi Ballivorum Consulum ac Communitatis dicti burgi teste manu propria subscripsit.

VIII.

The Parliament appoint the Lords of Session to sit at Aberdeen. 6th December, 1577.

Item for mantenying of Justice, halding of þis realm in peax and tranquillitie and vnder obedience Necessȝ^{r} it wer ane sessioun to be sett done in Abirdene to þe nombre of sex lordȩ w^{t} ane president and to assigne and limitat certaine boundȩ to þat sessioun And gif Abirdene be not maist convenient ony vþer place within þis realme quhair necessitie requiris maist Sua tua saitis may be made for þe furtherance of Justice within þis realme.

IX.

The Privy Council revoke a right to fishings in Don in an infeftment obtained during the King's minority by George Auchinleck of Balmanno. 22nd June, 1580.

Anent the supplicatioun pñtit to the kingis maiestie and lordis of secreit counsale be the prouest counsale and cõmvnitie of the burt of Aberdene Makand mentioun That quhair his hienes progenitor king Robert of gude memorie quha restis wt god sumtyme beand wtin the said burt persaving the barrennes and sterilitie of the cuntrie quhair the said burt is situat and the gret honestie þrof Togidder wt the fervent lufe schawin be thame to his hienes and his progenitorꝭ then and at all tymes of befoir Considdering alsua thair bauld manheid in the Recouring and distroying of the strong castell biggit and mantenit thair be the englismen sumtyme for danting and suppressing of the burt and cuntrie Vpoun thir respectis dotit the said burt and cõmvnitie þrof of his bountifull liberalitie and clemencie with certaine cõmoditeis liberteis and immvniteis for the ayd and support of the same And namelie with ane pece ground callit the stokkat adiacent to the burt and the salmound fischeingꝭ of the same burt vpoun the wattris of dey and done for ȝeirlie paiment to his grace and his successorꝭ of thre hundreth and tuentie mᵒkis vsuale money of this Realme in name of feuferme as thair infeftment thairof proportis * According to the quhilk they and thair predicessorꝭ hes peciabillie bruikit and joisit the saidis salmound fischeingis of the same burt continewallie sen the obtenīg of thair said infeftment without impediment or molestatioun of any persoun Qll laitlie within thir five ȝeiris lastbipast that george auchinlek of balmanno havand the lande of polgony and murtor liand contigue to the salmound fischeingis of Done on the north and nortˢeist side of the saidꝭ fischeingꝭ purchest ane pñdit new infeftment of the saidis landꝭ including thairin salmound fischeing per modū de nouo damus qlk he nor his predicessorꝭ neuir had in ony infeftment befoir Bot maist wranguslie purchest and gevin be his moder broder the erll of mortoun then being Regent of his hienes Realme and liegis not onlie to the gret dampnage and detriment of his hienes the cõmvnitie forsaid and thair posteritie Bot alsua to the gret

* See No. VIII., p. 12.

preiudice of his ma^ties 3eirlie revenew and patrimony of his Croun In sa far for the said prouest counsale and cõmvniteis p^t that gif the said george be sufferit to cum in possessioun (in the qlk as 3it he neuir cam) of the said new pñdit conqueist of the said fischeing Thay and thair successo^rẹ will be debarrit and stoppit fra all salmound fischeing on that wattir in all tymes cũing in respect he pñdis his said new fischeing to be betwix thame and the sea and in the sey forganis the watter mouth of Done thair scarring and debarring of the salmound fischis w^th cobillis arns and nettis stopping thame to entir in the wattir and thairby chaissing of thame agane in the mayne sey to the saidẹ prouest counsale and cõmvniteis vtter heirschip and wrak seing that without the industrie and cõmoditie of salmound na bur^t nor inhabitant of bur^t culd weill be thair bot desert solitude And as concerning his hienes p^t in preiudice of his patrimony they can not be abill to pay the 3eirlie feuferme of thre hundreth and tuentie m̃kẹ to his hienes gif they inlaik the cõmoditie q^rfoir the same is payit mairouir his ma^tie will inlaik the 3eirlie dewitie and custume of the salmound fische qlk now is payit 3eirlie gif the salmound be not takin bot stayit and impeidit be the impediment foirsaid For the maist speciall dewitie and custume of the said bur^t consistis in the custume of salmound 3eirlie as the cheker comptis testifies Sua ar they not onlie hurt and dampnifiit be this new infeftment of the nouo damus Bot alsua his hienes patrimony is and wilbe meikle hurt þ^rby Humilie thairfoir desyiring oure souerane lord that for releiff of his awin conscience Redres of the saidẹ prouest counsale and cõmvnitie and reteiñg his ma^teis awin richt and 3eirlie rent that his hienes wald prouide remeid heirto be revoiking of the said pñdit new infeftment of de nouo damus for the caussẹ foirsaidẹ lykeas at mair lenth is contenit in the said supplicatioun Quhilk being red sene and considderit be his ma^tie and lordis of secreit counsale and they having respect not onlie to the scaith sustenit be the saidẹ prouest counsale and cõmvnitie be granting of the said new infeftment of the saidẹ fischeingis Bot alsua that his hienes is and wilbe gretlie preiudgit þ^rby respectand thairw^thall the cõmoditie that sall redound to his ma^teis selff be making of the said reuocatioun Hes thairfoir eftir mature aduise and deliberatioun Reuoikit cassit annullit and dischairgit lyke as his maiestie be thir pñtis with auise of the Lordis of his secreit counsale Revoikis cassis annullis and dischairgis the said new infeftment of de nouo damus sa far as the saf̃ extendis or may extend

to the saidꝯ fischeingis allanerlie as gevin to the said george in his ma^teis minoritie not onlie to the scaith of the saidꝯ prouest counsale and cõmvnitie Bot alsua to the gret hurt of his hienes awin ȝeirlie rent Declairand the saṁ w^thall that followis or may follow thairvpoun tuicheing the said fischeingis to haue bene fra the begȳning and to be in all tyme cũing of nane availl force nor effect in judgement or outwith q^rcuir the samin beis producit

X.

The Parliament appoint the provost and baillies justices for the waters of Dee and Don. 29th November, 1581.

Oure Souerane Lord, and thre estatis of this present parliament, Ratefeis and apprevis all actis maid be his hines, and his maist noble progenitouris, anent þe distructioun of cruuis and ȝaris, slauchter of reid fischẽ, smoltis, and þe fry of all fisches. And ordains the samȳ to haue effect and executioun in time cũing. And beeaus it is vnderstand to his hines and his saidis thre estatis, That albeit panes and trauellis wes tane to cast done and distroy the saidis cruuis and ȝaris, ȝit in default of the execusioun of þe panis cõtenit in the saidis actis vpoun the contravenaris þairof, The saidis cruuis and ȝaris ar not haldin doun nor onie vþir thing in effect (appointit to be done in the saidis actis) put in executioun throw þe defalt, and negligence of þe ordinar officiaris, To quhome þe executioun thairof wes *q*mittit. Thairfoir oure Souerane Lord w^th aduise of his saidis thre estatis hes maid *q*stitute and ordanit, and be the tenoure of this present Act, makis constitutis and ordanis the personis efter specifeit w^thin þe boundis particularlie followand his hines Justices in that pairt, To þe effect vnderwrittin: They are to say . . . The schiref of abirdene and his deputis, and þe provest and bailleis of abirdene for the watterris of dee and done . . . Gevand, grantand and cõmittand to þe saidis Justices, in þat pairt, cõiunclie, and seueralie w^tin þe boundis particularlie aboue written full power Speciall cõmand, expres bidding and charge: To Inquire and tak vp dittay of all persounis, contraveneris of the saidis actis of parliament, w^thin the boundis Particularlie abouewritten, alsweill þe principall offendaris, as thair maisteris, landislordis ⁊ resettaris, and to call thame to vnderly þe law, Thairfoir in þe tolbuy^t of the heid burgh of euerie schire, or vþir place cõvenient at

þe discretioun of þe saidis Justices, and put thame to þe knawlege of ane assyse, As they be fundin culpabill or Innocent to minister iustice vpoun thame conform to þe lawes of þis Realme. The panes cõtenit in the saidis actis, to rais and vplift, and of þe samyn to mak compt^{o}, Reknȳg and payment to oure souerane lord, and his hines thesaurair in his chekker. And to þe effect, That þe executioun of the saidis actis sall no^{t} be neglectit as in tymes bypast. Ordanis twa ordiner iustice courtis to be halden ȝeirlie, The ane the first day of februar, and þe vþir at þe first day of [August], or þe nixt lawfull dayis thairefter following besyde vþir cowrtis to be haldin at vþir dayis, quhen occasioun seruis at þe discretioun of þe saidis iustices. And in caiſ þe saidis iustices or onie of thame failȝe in doing thair exac diligence for executioun of þis present Cõmissioun at twa tymes euerie ȝeir as said is, being callit and convic thairfoir befoir o^{r} Souerane lordꝭ iustice principall or his deputis at þe instance of [his] hines aduocat. Euerie ane of thame sall incur þe pane of twa hundre^{t} pundis to be vpliftit of thame be his hines thesaurair, to his maiesteis vse. Be it alwayis vnderstand, That þis present act^{o} nor nathing thairin contenit, salbe preiudiciall to his hines subiectis, being dewlie infeft and in possessioun of halding of cruuis, lynis or loupis w^{t}in fresche watteris, Bot that they may vse, Joiſ, bruik, and occupy þe same in tyme cūing, according to þair richtis, kepand þe setterdayis slop and sic distance betwix euerie hek, as þe actis of ꝑliament appoyntis. And in caiſ they failze þ^{o}in to be accusabill and suffer punischment, as the remanent transgressouris of þe saidis actis.

XI.

*The Parliament ratify the revocation of the grant to George Auchinleck.** 29*th November*, 1581.

Forsamekill as Anent the supplicatiouñ geiviñ in be the prowest baillies counsale and cõmwnitie of the burgh of aberdene to the kingis ma^{tie} and thrie estatis of parliament Makand mentiouñ, That quhare wpouñ thair supplicatiouñ presentit to his hienes and lordis of secreit counsale At dūnottir þe xxij day of Junij the ȝeir of goꝺ

* See No. IX., p. 237.

v^c and fourescoir ȝeiris declaring how his mat^eis predecessoures hade dotit the said burgh w^t certane Cōmodeteis liberteis and Immuneteis for the support of the continewance thairof namelie w^t ane pece of ground callit the stokkat adiacent to the said burgh and w^t the Salmond fischeingis of the samȳ burgh wpouñ the watteris of die and done for ȝeirlie payment of thrie hundreth and twentie m̄kis money of this realme to be payit in name of fewferme to his hienes and his successo^r ꝙ And how that thay hade bene trublit in bruiking of þair saidis fischeingis be ane pretendit infeftment purchest be george Auchinlek of balmāno In the tyme of the regentrie of vmq^le James erle of mortouñ mother brother to the said george fra o^r said souerane lord w^t consent of the said vmq^le erle of þe landis of polgonye and mvrto^r lyand Contigue to the said Salmond fischeingis of done And including in the said pretendit infeftment Salmond fischingis be ane claus (de nouo damus) &c^o insȝt thairin Cautelouslie to questiouñ the saidis complenaris auld infeftment and possessiouñ of thair saidis fischingis bruikit and possessit be thame of before but impediment señ thair first obtenīg thairof And thairbye tending nocht onlie to preiuge thame of thair saidis fischingis and former ry^t þ^o of foirsaid Bot als to tak fra o^r said souerane lord and his successoures the patremonie of the few maill foirsaid of the saidis fischeingis and to demineis and stay the samȳ and ȝeirlie customes of salmond fisches takin and to be takin w^tin the saidis fischingis being the maist speciall dewtie of the said burgh detbund to be payit ȝeirlie to o^r said souerane lord and successoures testefeit be the chaker comptis Quhairwpouñ and for vtheris gude ressones rehersit in the said supplicatiouñ It thañ plesit o^r said souerane lord being at dunottir as said is To revoik caſ ānull and discharge w^t aduise of the lordis of his hienes secreit counsale thañ present the said pretendit new infeftment of de nouo damus &c^o safar as the Samȳ extendis or may extend to the saidis fischeingis allanerlie as gewin to the said george in his hienes minoritie no^t onlie to thair skaith Bot als to the greit hurt of his maiesteis awin ȝeirlie rent declaring the samȳ w^t all that followit or may follow þ^o wpoun tuiching the saidis fischeingis to haue bene fra the begynīg And to be in all time cūmīg of nane awaill force nor effect^o in iugement or outw^t quhare-euir the samȳ beis producit As ane decreit and act^o of secreit Counsale of

the dait foirsaid heir pñt to schaw at mair lenth proportis And als at halyruidhous the xxiiij day of Januar last bipast or said souerane lord wth aduise of the lordis of secreit counsall foirsaid thā qvenit Ratefeit and apprewit the said reuocatiouñ and actō of secreit Counsale maid þairwpoun in all effectis respectis and conditiones expressit thairin And als thañ of new Revoikit cassit ānullit and dischargit the said new pretendit infeftmēt (de nouo damus) ⁊cō Sa far as the samȳ extendis or may extend to the saidis fischingis In maner at lenth abouewrittin And attor thā Ordanit the saidis Reuocationes and approbatioun to be ratefeit in his hienes nixt parliament wt new reuocatiouñ gif neid beis thā to be maid thairin in corroboratiouñ of the saidis complenaris ryt and securetie and his hienes Cōmodetie of the few maill foirsaid As ane actō and decreit of secreit Counsale maid þōanent including the said former actō off the dait At halyruidhous the said xxiiij day of Januar last bipast heir radye to schaw at mair lenth dois testefie Desyring maist humblie thairfore or said souerane lord and thrie estatis foirsaidis to sie and considder the saidis former actis of Reuocatiouñ and haill contentis thairof And in respectō of the samȳ and ressonable causs thairin expressit That his hienes of new in this pñt parliament wth aduise of the saidis estatis wuld revoik cas3 ānull and discharge the said pretendit new infeftment gewin be dispositiouñ and claus (de nouo damus ⁊cō) To the said george Auchinlek aud vtheris thairin contenit of quhatsumeū dait the samȳ be Sa far as the samȳ extendis or may extend to the saidis fischeingis allanerlie as gewin to the said george and vtheris þōin nominatō In his hienes minoritie Not onlie to the skaith and detriment of the said burt Cōmodeteis and priuilegis þōof Bot als to the greit hurt of his mateis 3eirlie rent And to declare the Samȳ now as of before wt all that hes followit or may follow þōwpouñ tuiching the said fischeing To haue bene fra the begynīg and to be In all tyme cūmīg null and of nane awaill force strenth nor effectō in Jugemēt nor outwt quhaireū the samȳ hes bene or beis producit and schawin At at mair lenth In qtenit in the said supplicatiouñ Qꝯk being sene and considerit first be the lordis of articles And thairefter be the kingis g and estatis. OURE SAID SOUERANE LORD wt aduise of the saidis thrie estatis of this pñt parliamēt REVOIKIS cas3 ānullis and discharges the said

pretendit new infeftment gewiñ be dispositiouñ and claus (de nouo damus &c.) to the said george auchinlek and vtheris thairin contenit of quhatsumeñ dait the samȳ be Sa far as the samȳ extendis or may extend to the saidis fischeingis allanerlie As gewin to the said george and vtheris þ᷑in nominat. In or said souerane lordis minoritie not onlie to his hienes skaith and detrement of the said burgh But als to the greit hurt of his matеis awin ȝeirlie Rent And thairfore Decernis And declaris the samȳ now as of before with all that hes followit or may follow thairwpouñ Tuiching the saidis fischingis To haue bene fra the begynīg And to be in all tyme cūmīg null & of nane awaill force strenth nor effect. In Jugement nor outwt quhaireū the samȳ hes bene or beis producit and schawiñ, And ordanes lr̄es of publicatiouñ to be direct. heirvpouñ gif neid beis in forme as efferis.

XII.

The Parliament appoint a just standard for salmon to be kept at Aberdeen. 22*nd May*, 1584.

Item our Souerane lord with auise of the thrie estatis of þis present Parliament Ratefijs and apprevis all and syndrie [actis and] statutis maid be his hienes and his predicessouris concerning the measure of salmound, hering and quheit fish: gageing, burning, and measuring thairof, And to þe effect the saidis Actis may be the better kepit, And for eschewing of defraud of the saidis measuris, and of fals and vniust paking of salmound, hering and quhit fish, quhilk is mekle vsit be vnfremen, fisharis and vtheris slayaris of þe said fische to þe great hurt of [the fremen], burgesȝ, and merchandis and haill cōmoun weill of þis realme Thairfoir it is statute and ordinit That thair be ane iust measure and standert for the salmound maid be þe burrowis conforme to þe auld actis of parliament, and the samyn to remane at þe burgh of Aberdene. And siclike that thair be ane iust standert and measure for hering and quheit fish, quhilk salbe brint, and remane in the keping of þe provest and baillies off Edinburgh. And that all salmound treis hering treis, and quhict fish treis vniuersallie throw the realme Salbe of the þe measure and gage foirsaid. And that ilk burgh sall ressaue ane patroun of þe gage and measure foirsaid, and sall caus thair cowparis within thair boundis to mak thair treis con-

forme to þe said measure and þe same to be brint be þe toune Irne and cowparis Irne on baith þe endis, and vpoun þe stop beside the bung. And incace ony salmound, hering or quheit fish be pakit in vther treis nor of þe iust gage foirsaid, brint and markit as said is, The samyn salbe escheat to our souerane lord, And ordinis the principall stapill of salmound fra die northe to be at þe burghis of Aberdene and Elgine, And the principall stapill of hering and quheit fish slane be the Inhabitantis within the watter of forthe to be in leithe within þe priuilege and fredome of þe burgh of Edinburgh and within the port and hevin of Creill, And the stapill of salmound hering and quheit fish slane benorthe fyvisness[9] to þe watter of die To be at dundie or perth. And that þe saidis proveist and baillies of Edinburgh Aberdene, Craill, Elgine perthe and dundie sall appoint ane discrete man to be visitor, wraker, gagear and birnar of the saidis treis, and appoint to him ane ressounable duetie [of] ilk last thairof for his lawbouris, That all vnfremen, fisharis and slayeris of hering and quhytfish duelland within [the boundis of] the watter of forthe on baithe þe syidis to þe watter mouth of Tay bring thair hering and quheit fishe to be slane be thame in tyme cūming to þe portis of leithe or Craill. And at þe west syid to Air and dumbritane deuidand þe boundis betuix and þe clochestane, thair to be gageit, markit and sawld to þe frie burgess; of þis realme. And that na fisharis or vtheris vnfremen sell thair said hering or quheit fishe to ony strangeairis or vnfremen or carie the same furth of this realme to ony vther cuntreis to be sauld be thame selffis vnder the pane of eschaeting of all thair movable guidis, The ane half to or souerane lordis vse, and the vþer half to þe burrowis quha Sall *q*vict thame be vertew of thair Commissionis.

XIII.

The Parliament grant a tax for the upkeeping of the Bridge of Don.
29th July, 1587.

Anent the supplicatioun gevin in to or souerane lord and thre estaittis of this pñt parliament be þe prouest baillies counsall and cōmunitie of the burgh of Aberdene Makand mētioun That quhair or souerane lordis maist noble progenitouris considering the guid

fruice done at all tymes be þe said burgh dotit the samī wᵗ diuersȝ cōmodities liberties and Immvnities for þe aid and support þairof qlk þai haue broukit in all tymes bigane And be ressone of þe barrennes and sterilitie of þe cuntrie quhair þe said burgh is situat þair is na fertilitie of cornis nor victuallis growand about þe said burgh Nor ȝit within ten or tuelf mylis distant þᵐfra bot sic as growis in the cuntries of buchane and gareoch and vþeris be north the said burgh qlkᵠ cūis resortis and repairis to þe said burgh be þe brig of done qlk is þe onlie passage and way that þe haill furnessing of þe victuallis repairing of merchandis cuntriemen and vþeris strangeris to þe said burgh and vþeris pairtis tounis and cuntries be south þe said toun of Aberdene is maid be þe brig of done being tua mylis distant fra the said burgh zit neuirtheles being now fast decaying and þe north end þairof alreddie fallin doun quhairthrow þe rest of þe samyñ is likelie to fall suddenlie lyk as present liein tyme of windie and tempestuus weather na man is liable to travell þairoñ nather on fute nor horsȝ The qlk decay and rewine of þe said brig as þe samī wilbe maist dānabill to þe haill baronis gentilmen and vtheris oᵘ souerane lordis lieges duelland in þe north pairtis and in vse to frequēt to þe said burgh for selling of þᵐ victuallis and vther traffiqᵗ of merchandice as also to all sic as duellis be north þe same in all countries cūing and resorting to the south pairtis of the realm sua will þe samī tend to þe wrak and destructioun of þe said burgh gif þe same be not preventit be sum solide and substantious ordour in this pñt parliament vīz be þe granting of ane taxatioun throuchout þe haill north cuntrie for reparatioun of þe said brig to the qlk taxatioun þe saidis prouest baillies counsall ⁊ cōmunitie ar willing to contribute according to thair power and habilitie albeit þai ar vtherwyse oblist wᵗ vphalding of þe brig of die and thairthrow maid þe mair vnhable to help to þe reparatioun of þe said brig of done As the said supplicatioun at mair lenth beiris Oure souerane lord wᵗ avise and consent of the thrie estaittis of this pñt parliamēt hes gevin and grantit full power and cōmissioun to the erle of huntlie the erle of erroll þe erle marschall þe laird of auchindoun þe laird of vry the laird of reviniscrag the laird of drum the laird of essilmonth þe laird of fouerne þe laird of vchquhone and ane cōmissioner for þe said burgh of Aberdene or ony thrie of thame cōiūclie to pas to þe brig of done at ony

tyme thay pleis appoint and thair to visie and cōsidder þe said brig and to confer þairvpone w^t^ þe maist honest ancient landit gentilmē nixt adiacent þ^to^ and sie gif þe said brig possible may be helpit and be quhat best moyen þe same may be done and to report þair opinioun and procedingis in the premiss^o^ to þe lordis of secreit Counsall And incais^o^ efter þair said report the said brig beis fundin possible to be mendit and repairit Oure said Souerane lord w^t^ aduise foirsaid gevis and grātis full power and cōmissioun to þe lordis of secreit counsall to grāt and appoint ane ressounable generall stent and taxatioun vpone sic pairtis of þe cuntrie as þai sall think maist expedient for help and support of þe said decayit brig and to mak speciall act and ordināce vpone þe said taxatioun Contening þe forme and ordo^r^ of payment and ingaddering of þe samyñ.

XIV.

The Privy Council grant an indemnity to the burgh for its furnishing of the rebel Earls. 4th August, 1589.

Forsameke as it is undirstand to the Kingis Majestie and Lordis of his Secreit Counsaill that George, Erll of Huntley, Francis, Erll of Erroll, and David, Erll of Craufurde, in the moneth of Aprile last bipast, repairit within the burgh of Abirdene, with sic a force of his Hienes subjectis in arms as the provest, baillies and inhabitantis of the said burgh, wer not able at that tyme to resist, bot, for eschewing of mony and dangerous inconvenientis, cheiflie the rasing of fyre, birning and distructioun of thair houssis, exponing of thair guidis in pray, bereving of thair lyveis and sindrie utheris violenceis quhairwith thai wer threatned, in end compellit not onlie to grant ressett to the saidis Erllis and thair compliceis within thair said toun, bot utherwise to supporte and furneis thame, aganis thair willis, and upoun na deliberat mynd ather to allow and approve thair treasonable dealing, nor yit to participat with thame thairin, continewand alwayes thair affectionat myndis towardis his Hienes, as thay and thair predicessouris had at all tymes done to his Majestie and his predicessouris of befoir, —quhairof his Hienes, immediatlie eftir his repairing to the said burgh, finding gude and sufficient prufe, not onlie be [thair ?] advanceing and delivering to George, Erll Mairshael, be his Hienes commandi-

ment, of divers grite sowmes of money, bot als in thair personall service and reddines to the advancement of his Hienes authoritie and service chieflie aganis the saidis Erllis and thair compliceis, besydis the furnissing of werkmen, with thair werklumes, and sindrie utheris preparationis for the dimolissing and douncasting of thair houssis and strenthis;—his Majestie thairfoir, accepting and allowing of the bipast behaviour of the saidis provest, baillies and inhabitantis of the said burgh, thair constant and affectionat myndis towardis his Hienes at all tymes, hes decernit and declairt and, be thir presentis, with advise of the saidis Lordis of his Secreit Counsaill, decernis and declairis, thame and every one of thame to be free and unaccusable for thair ressett and furnissing grantit to the saidis Erllis and thair compliceis in maner and at the tyme foirsaid; like as his Majestie, with advise of the saidis Lordis, remittis, renunceis, and dischargeis all actioun and caus criminale and civile quhilkis his Hienes had, hes, or ony wise may have, agains them for the samin: exonering thame be thir presentis off all pane and dangeir that may be imputt to thame thairthrow for evir; dischargeing his Hienes justice, justice-clark, thesaurair, advocatis, and all utheris his officiaris and ministeris of his lawis, off al calling accuseing or onywayes proceding agains thame for the samin, and of thair offices in that parte: and that thir presentis be als sufficient for the suretie of thair lyveis, landis, guidis, and previlegeis, as giff the samin wer past undir his Hienes grite seill in forme of remissioun with all solempniteis requisite, or as giff thay had been ordourlie acquite of the samin be ane assise befoir the justice or his deputis.

XV.

*The Parliament grant leave to the burgh to hold a yearly fair.** 21*st July*, 1593.

OURE SOUERANE LORD w^t^ auise of the estaitis of this p̃nt parliament Gevis and grantis licence and libertie to the burgh of abirdene To hald ane marcat and publict fair w^th^in the fredome of the said burgh To begin ȝeirlie heireftir vpoun monūday Immediatlie befoir uitsonday And thaireftir To continew for the space of aucht dayes w^t^ the haill iurisdictionis fredomes, toill and custumes off the same.

* *Cf.* Nos. IV., VII., XIX., pp. 8, 11, 27.

XVI.

The Parliament confirm to the burgh the annuals, etc., belonging to the chaplains of St. Nicholas Church. 21st July, 1593.

OURE SOUERANE LORD and estaitis of this p̃nt parliament Ratifies apprevis and conf^{o}mis and of new gevis grantis and disponis to the burgh of abirdene All and sindrie the ānuellis few malis chaiplanries and p̃bendariis qlkis belangit of befoir, To chaiplanis of thair paroche kirk of abirdene, cōtenit in the gift maid to the said burgh of befoir.*

XVII.

The Parliament ratify the erection of Aberdeen as a free burgh. 8th June, 1594.

OURE SOUERANE LORD and estaitis of this p̃nt p̃liamēt Ratifies apprevis and for his hienes and his successor̃ perpetuallie conf^{o}mes the erectioun of the burgh of abirdene in ane frie burgh w^{t} all infeftmētis privilegis richtis and titles maid and grātit be his hienes and his p̃dicessor̃ vnto thame ofbefoir And decernis and declaris the same to stand in the full strenth force and effect in tyme to cum.

XVIII.

The Parliament ratify acquittances given to the burgh for payment of £8000 lent from the Queen's tocher. 16th December, 1597.

Oure Soueraue Lord and estaitis of this p̃nt parliamēt Ratefeis apprevis and cōfirmis the tua acquittāceis and dishargis gewin be his maiestie with advyis of his hienes comptroller and lordis of secreit counsale to the toun of abirdene vpoun the paymēt of aucht thousand pūdis qlk wes deliuerit to þā of the tocher of his maiesteis deirest spous the quenis grace and qlk þai had for ānuell and proffeit Togidder with the pffeit of þe samī aucht thousand pundis of all 3eiris and termes bipast as the samī acquittācis and dishargis in thā selffis mair āplie beris The ane þ^{o}of being of the dait þe fyift day of Junij the 3eir of god fourscoir fourtene 3eiris and the vþ^{o} þ^{o}of being of the dait þe last day of Julij þ^{o}efter þe samī 3eir and decernis and ordanis that this p̃nt act^{o} of Ratifica^{o}un foirsaid salbe als valiable and effectuall

* See No. XXXIII., p. 75.

for þt effectꝰ as gif the saidis tua acquittāceis and dischargis war insert and ingrossit everie word heirintill and ordanis ane actꝰ of parliamēt to be maid and formit heirvpouñ

XIX.

The Parliament ratify the charter of 14*th August*, 1601,* *granted to the burgh by King James VI. 9th July*, 1606.

Oure Souerane Lord and estaittis of this pñt parliamēt be the tennor heirof Ratefeis appreves and perpetualie confermis the chartor maid and grantit vnder his hienes great seall To the burgh of Aberdene provest bailleis counsaill and cōmunitie þairof and thair successouris Off all and sindrie thair cōmoun landis pertenīg to the said burt mylnis small customes salmond fisheingis Liberteis privileges Immuniteis and vtheris quhatsumeuir generalie and specialie comprehendit and contenit in the foirsaid chartor In all and sindrie pointis heidis articlis clauss circūstances and cōditionis thairof As the foirsaid chartor of the date at falkland þe fourtene day of August the ȝeir of god Jmvjc and ane ȝeiris in the self at mair lenth proportis with the precept and Instrumēt of seasing following þairvpoun And willis that þis pñt Ratificatioun and cōfirmaoun Is and sall be of als great strenth force and effect as gif the samī chartor precept and Instrumēt of seasing wer word be word heirin ingossit quhairanēt our said souerane with advyse foirsaid for now and evir be thir pñtis dispenss And als oure said souerane wt advyse foirsaid ffindis decernis and declaris the foirsaid chartor precept and Instrumēt of seasing following thairvpoun To be ane gude valide and perfyte richt to the provest baillies counsaill and cōmunitie of the said burt of aberdene and þair successouris ffor bruiking and Joising of all ꝛt sindrie landis mylnis fischeingis salmond fisches privileges Liberteis and Immuniteis and vtheris qtsumeuir generalie and specialie cōprehendit and expressit in the samī chartor ffor paymēt of the ȝeirlie ductie thairin cōtenit And gif neid beis oure said souerane And estaittis foirsaidis Ordanis ane new infeftmēt to be maid grantit and gewin To the said burt of Aberdene provest bailleis counsaill and cōmunitie þairof aggreable word be word wt the said chartour ffor the qlk new Infeftmēt this pñt act sall be ane sufficient warrand

* No. XLII., p. 100.

XX.

The Parliament ratify the charter of 1st February, 1605, granted to the burgh by Mr. Alexander Hay. 9th July, 1606.*

OURE SOUERANE LORD with advyse of the Estaittis of this pñt pliament Be the tennor heirof Ratefeis appreves and for his hienes and his successouris perpetualie Confermis the chartour maid gevin and grantit be mr Alexander hay clerk of or said souerane Lordis counsaill and sessioun To the provest bailleis counsaill and cōmunitie of the burgh of aberdene and thair successouris Off all and sindrie the fewfermes and ālrentis þairin Contenit extending in the haill to tuentie sewin pundȩ aucht schillingis and aucht penneis with the superioriteis of all landis tenemētis ālrentis and vtheris thairin cōtenit In all and sindrie pointis clauſs articlis circūstances and conditiounes þairof As the foirsaid chartor of the date at Edinburgh the first day of februar The 3eir of god Jmvjc and fyve 3eiris in the self at mair lenth proportis with the precept of seasing cōtenit in the said chartor and Instrumēt of seasing following þairvpoun And willis that this pñt Ratificatioun and cōfirmatioun Is and sall be of alſ great force strenth and effect As gif the samī chartor precept and Instrumēt of seasing wer word be word heirin ingrossit Quhairanēt oure said souerane with advyse for now ȝt evir Be thir pñtȩ dispenſ

XXI.

The Parliament approve an alteration of the amount of burgh maill from sterling to Scots money. 28th June, 1617.

OURE SOUERANE LORD and estaittis of Parliament perfyitlie vnderstanding That his Mãties burgh off Abirdene being ane of the most ancient ȝt famous borrowes of this his majestyes kingdome off Scotland wes erectit be his maiestyes maist nobill predicessoures of worthie memorye and doted with ampill priuiledges ȝt Immunityes for 3eirlie payment of the soume of Tua hundereth threttene pundis sex schillingis Aucht Pennyes of borrow maill spēit and conteanit in the rightis and Infeftmentis maid to þe said burgh thairvpoun As þe samyne in the

* See the charter *postea*.

selff proportis And howbeit in ane of the saidꝭ auld infeftmentis The said Borrow maill and ȝeirlie dewtie be exprest to be sterling moᵉ ȝit it is of veritie that þe Provest bailȝeis Counsell ꝛt Communitie of the said burgh off Abirdene and thair predicessoᵘꝛꝭ wes nevir in vse of Payment to his Mãtie or his hienes Comptrollaris bot off the soume off Tua hundereth threttene pundis sex schillingis aucht pennyes current and vsuall money of scotland allanerlie Q'off compt hes bene maid in his hienes exchekquer past memorie of man And his maiestye considdering that giff the said burgh of Abirdene suld be vrgit and burdenit with the payment of the said borrow maill in sterling money The same wald tend to the vtter Ruine of the said burgh In respect the haill commoun landis and rentis pertening þairto Ar not able to pay the said borrow maill it being Comptit in sterling money His hienes thairfore be Infeftment vnder the gryit seill Off the date at faulkland the fourtene day off August the ȝeir of god Jᵐ vjᶜ and ane ȝeiris * of new gave grantit and disponit to the said burgh all and sindrie thair landis mylnes houss fischeingis watteris and the said burgh it selff and all vtheris priuiledgis Liberties Immunities and vtheris Commodities quhatsumeuir Qlk did at ony tyme of before pertene or belang to the said burgh To be haldin of his Mãtie and his successoures in frie burgage for yearlie payment of the soume of Tua hundereth threttene pundis sex schillingis aucht pennyes vsuall money of the realme of Scotland and tuentye schillingis in augmentatioun of the rentall As in the said Infeftment off the date foirsaid Contening ane ratificatioun of all former rightis and euidentis grantit to the said burgh at mair Lenth is conteanit Qlk infeftment his Mãtie hes Ratefiet in þe Parliament haldin at Peirth the nynt day off Julii Jᵐvjᶜ and sex ȝeiris† And now his mãtie being of mynd that the said gift and erectioun maid to the said burgh may be sua formalie exped according to his mãties lawes that þe same may be effectuall to the provest bailȝeis Counsell and Communitie of the said burgh and ane sufficiẽt Right vnto thame and thair successoures in all tyme cuming for payment of the said ȝeirlie dewtie and borrow maill of Tua hundereth and threttene pundis sex schillingis aucht pennyes vsuall money of this realme of Scotland and tuenty schillingis

* No. XLII., p. 100. † No. XIX., p. 249.

money foirsaid of augmentatioun allanerlie Thairfore his Majestie with aduyse And Consent of the haill estaittis of this p̃nt Parliament Hes dissoluit and be the tenno^{r} heiroff for his hienes and his successoures with consent and aduyse foirsaid off certane knawledge perpetuallie dissolvis fra the Croun and all Annexatioun thairto The said Burgh of Abirdene with all and sindrie thair landis forrestis woddis watteris salmond fischeingis vpoun dee and done mylnes thirle multeris castellis medowis hillis linkes heavines poirtis blokhous bulwarkis anchorages small Customes Bell customes Trone wechtis measures vtheris proffittis casualities and dewties quhatsumeuir qlk at ony tyme before perteanit or belangit to the said burgh of abirdene Togidder with the said borrow maill and ȝeirlie dewtie of tua hundereth threttene Pundis sex schillingis aucht pennyes money Conteanit in quhatsumeuir Infeftmentis or euidentis grantit to the said burgh off quhatsumeuir designatioun the said borrow maill and ȝeirlie dewtie be of quhither sterling money or vsuall money of this realme To this effect that his M̃atie may of new give grant and dispone to the Provest Bailȝeis Counsell and Communitie of abirdene and thair successoures The said burgh with all and sindrie thair Landis forrestis woddis wateris salmond fisheingis vpoun dee and done mylnes thirle multo^{r}ȩ castellis medowis hillis linkes blokhouss̃ bulwarkis anchorages small Customes bell Customes trone wechtis measures vtheris proffittes casualities and dewties q^{t}sumeuir qlk at ony tyme bigane pertenit or belangit to the said burgh of Abirdene To be haldin of his M̃atie and his hienes successo^{r}ȩ in frie burgage for ȝeirlie payment of þe said sowme of Tua hundereth threttene pundis sex schillingis aucht pennyes and tuentye schillingis of augmentatiouñ vsuall money of Scotland allanerlie with als ampill priuiledgis Immunities and liberties as ony vther burgh w^{t}in this realme Lyik as his M̃atie ardanis ane new gift* to be maid to the saidis Provest bailȝeis Counsell and Communitie off the said burgh and vtheris abone spẽit efter this p̃nt dissolutioun vnder his hienes gryit seall Qlk infeftment swa to be exped His M̃atie w^{t} consent foirsaid Now as gif the samen̄ wer alreddye perfyittit Ratefies affermes and apprevis in the haill heiddis articles and clauss̃ thairoff And willes and declairis the said Infeftment to follow vpoun

* No. XLIII., p. 110.

this pñt dissolutioun to be ane guid valide and perfyit right for the saidꝭ Provest bailȝeis Counsell and Communitie of the said burgh off Abirdene present and to come for bruiking and joysing of the said burgh and all and sindrie Landis forrestis mylnes woddis salmond fischeingis customes Casualityes trone wechtis Priuiledgis Liberties Immunities and vtheris dewties quhatsumeuir thairin to be conteanit for payment of the said yearlie dewtie of Tua hundereth Threttie pundis sex schillingis aucht pennyes vsuall money of Scotland and tuenty schillingis of the same money in augmentatioun of the rentell allanerlie and na farder As giff þe same were alreddy past and expreslie sett doun in this pñt act And nochtwᵗstanding thairoff Quhairanent his hienes for his Mãtie and successoures with aduyse and consent foirsaid Hes and be thir pñtis dispenss̃ for euir

XXII.

*The Privy Council appoint the old gauge of Aberdeen to be the standard measure for salmon throughout Scotland.** 15*th July*, 1619.

Forsamekill as the cõmissionaris nominat be the lait parliament for reduceing of the weychtis and measoris of this kingdome to one conformitie haueing with gryte paines diligence foirsicht and deliberatioun broᵗ that wark to ane gude conclusion by appoynting and setting doun of a perfyite Just and trew proportioun of measure for the firlot stoupe eln and weychtis by the quhilkis all his maiesties liegis and subiectis ar commandit to ressaue and delyuer buy and sell thair commodities and wairis and of the qlkis measuris and weychtis double standartis war presentit to his maiesties councell be the burrowis quho hes the charge and keiping of the same and ar put in his maiesties castell of Edinburght and Dumbartane to remane as warrandis for the saidis weychtis and measuris in all tyme comeing thair onlie rested at that tyme the measour of salmond qᵘwith the saidis commissionaris medlit not ather in respect that no mentioun wes maid of that mesour to the parliament Or els becaus the standart thairoff qlk was committit of auld

* See page 187.

be his maiesties predicessoris of famous memorie to the Burght of Abirdeine hes beine ressauit Imbraceit and acknowledgit alsweill in yis kingdome as in forane pairtis to be a Just trew and vpricht measour And whereas be the cair and diligence of the saidis commissionaris the diversitie and disproportion of all vther measouris quilk formerlie wes so frequent and commoun in this cuntrie Is now remowit and taine away And seing lykwayis thair hes newir beine ane vther standart of Salmond maid in this Kingdome bot the auld standart of Abirdein Thairfoir the Lordis of secreit counsall hes thocht it meit expedient concludit and ordaint both for the credite and weill of the cuntrie and for eschewing the hurt and preiudice quhilk the disproportioun betwixt the measouris of salmond may produce to his maiesties liegis that thair salbe bot ane constant measure for the salmond throught out the haill kingdome and that this measure salbe according to the auld gadge and standart of abirdein quhilk conteine Ten gallowins with the quhilk measour all his maiesties liegis sall ressaue and delyuer thair salmond in all tyme comeing Ay and quhill the estaitis of this kingdome to be convenit in parliament tak vther ordour thair with And the saidis Lordis ordaines thir pñtis to begin and to tak effect and executioun fra the First day of Januar nixt to come allanerlie and to continew thaireftir till vther ordour be taine in parliament as said is And ordaines letteris to be direct to mak publicatioun heirof be oppin proclamatioun at the mercat croceis of the head burrowis of this kingdome and vther places neidfull quhairthrow nane pretend Ignorance of the same And to command charge and Inhibite all and sundrie his maiesties liegis and subiectis that nane of thame presume nor tak vpoun hand at any tyme eftir the said first day of Januar nixt to cum To ressaue or delyver thair salmond w^{t} any vther measure bot according to the gadge and standart of abirdein conteining Ten gallowins as said is and that all thair barrellis be maid conforme thairto vnder the paine of confiscatioun of the haill salmond that salbe barrellit be thame vtherwyise the ane halff of the said confiscatioun to apperteine to the kingis maiestie and the vther to the discover and reveiler of the fals and disconforme barrellis And siclyk to Command charge and Inhibite all and sundrie cowparis mackeris of barrellis That nane of thame presume nor tak vpoun hand to mak any barrellis for salmond bot according to the

standart of abirdein conteining the gallowins as said is vndir the paine of fywe pundis to be Incurrit be thame for everie barrell that they sall mak of ane vther measour

XXIII.

The Parliament ratify the charter of 17th July, 1617, granted to the burgh by King James VI. 28th June, 1633.*

OURE SOVERANE LORD and estates of this present parliament ordaines ane ratificatioun To be maid thairin In favours of his hienes lovitts The proueist baillies counsall and cõmwnitie of the burgh of Abirdeine and thair successors Ratifiand approveand And for his hienes and his successors perpetuallie confirmand The chartors maid and grantit be his Ma^ties vmq^l darrest father James be the grace of god king of great Britane france and Ireland defendar of the faith &c^c of eternall memorie With advyse and consent of his hienes principall thesaurar deputtie thesaurar and remanent lords of his hienes secreit Counsall of Scotland his hienes Cõmissioners for the tyme Wnder the great seale of the dait at falkland the sevinteine day of July The 3eir of god J^m vj^c and sevinteine 3eirs Quhairby our said lait vmq^l Soverane lord . . . [see p. 110] . . . as the said chartor of the dait forsaid in itselff at mair lenth beirs: with the precept of sasing following thairvpon, vnder the testimonie of the Great Seale of the samyne dait, and instrument of sasing following thairvpon, of the daite the day of , the 3eir of god J^m vi^c 3eirs; as als the act of dissolutioun maid in the Parliament haldin at Edinburgh, the tuentie aucht day of Junii, the said yeir of God J^m vi^c and sevinteine 3eirs,† quhairunto the said chartor abone mentionat is relative and quhairone the samyne proceids and followes in maner thairin contenit; as als the chartor maid be vmq^l King Robert the First, to the saids burgess and cõmwnitie of the said burgh of Abirdeine of all the liberties, consuetudes, and jmmwnities quhairine they wer infeft be his predicessors of befor, in tyme bygaine; and giving full power to the saids burgess and cõmwnitie of the said burgh, to tak, waird, and punishe all thes that sould come in armes within the said burgh, againes the statuites of his Majestie and borrowes of this realme in tyme coming, Wnder

* No. XLIII., p. 110. † No. XXI., p. 250.

the Great Seale of the dait at Gairuane in Carrik, the saxt day of Februar, and of his Majesties reigne the tuentie-thride 3eir,* IN ALL and sundrie the heads, pointes, clauss, articles, and conditiones thairin contenit, and eftir the formes and tennors thereof in all pointes. And our said Soverane Lord and Estates of Parliament wills and grants, and for thame and thair successours decernes and ordaines that this present ratificatioun of the said chartor, precept and sasing following thairvpon, and of the act of dissolutioun abone writtine quhairvpon the samyne proceidit, and the vther chartor abone mentionat, maid be the said vmq[l] King Robert the First, is and sall be als valide and sufficient, and of als great force, strenth, and effect to the saids proueist, bailleis, counsall, and cōmwnitie of the said burgh of Abirdeine and thair successors for bruiking and joysing of the said burgh of Abirdeine and all and sundrie lands, heretages, forrests, mylnes, wodes, salmond fishings, casualities, liberties, priueledges, jmmwnities, and vthers quhatsumever contenit in the saids chartors, and ather of thame, and vtherwayes belonging thairto, as if the saids tua chartors, precept, seasing, and act of dissolutioun abone writtine were all at lenth insert, ingrost, and contenit in this present ratificatioun. Quhairanent, and with all vther defects and imperfectiones, quhilks may be proponit or alledgit againes the saids tua chartors, precept, sasing, and act of dissolutione, or any of thame, and this ratificatioun thairof, oure said Soverane Lord and Estates of Parliament hes dispensit, and be thir presents dispens for ever, and that the said ratificatioun be farder extendit in the best forme with all clauss necessar

XXIV.

The Privy Council grant to the burgh for a term of nineteen years certain duties on passengers, etc., for upholding the Calseys of Cowymonth. 17*th July*, 1634.

Anent the supplicatioun presented to the Lordis of secret counsall be the prouest and Baillies and counsell of the burghe of Aberdeine Makand mentioun That where the calseyes in Cowiemont ar now so worne and decayed as there will be no possibilitie of passage in this approaching winter and the supplicantis hes done alreadie all that lyes in thame for the mending and vpholding of these calseyis,

* No. X., p. 15.

bot the work is so great and the manie other burdeins lying vpoun the said burghe presseth thame so hardlie as it lyis not in thair power To outtred and perfytee that work there being none within the kingdome more Important and necessir and if some course be not tymouslie tane for mending and vpholding of the saidis calseyis It wil become altogidder impossible thairefter and the supplicants can for see no way how these calseyis can be biggit and upholdin bot be a collectioun and dewtie To be takin off passingeris on horse and foot and of all horse Loaddis and quhatsumewir cōmodities passing that way Humblie desyiring thairfoir the saidꝭ Lordꝭ To grant vnto the saidꝭ supplicants a warrand and cōmissioun To raise and lift the dewtie following on passengeris horse Loadis and other cōmodities comeing and going be the saidꝭ calseyis Lyik as at more Length is conteaned in the said supplicatioun Quhilk being red hard and considered be the saidꝭ Lordꝭ and they hawing also hard seine of the barons and gentilemen in the Northe anent this matter and anent the necessitie of repairing and vpholding of the saidꝭ calseyis and the saidꝭ Lordꝭ finding by thair awne knowledge and also by the report and declaratioun of the saidꝭ Barons and gentilemen That the reparatioun and vpholding of the saidꝭ Calseyis is a most important and necessar work Tending to the weell of the countrey and good of the subjectis And finding no other expedient for the present how the saide calseyis salbe mendit and vpholdin bot be the vplifting of the dewtie following Thairfoir the saidꝭ Lordis hes Given and granted and be the tenor heirof Giwes and grantis full power warrand and powir to the saidꝭ supplicants and to thair collectoris To be nominat and appointed be thame frome tyme to tyme as thay sall think expedient To ask crave ressave intromett with and wplift the dewtie following of all passingeris travelling be the saidꝭ Calseyis and of all horse Loadis or cartis sheep and noct comeing or going that way That is to say of ewerie footeman twa pennies, of everie horsman eight pennyes, of everie horse Load of whatsumewir cōmodities eight pennies, of everie ten sheep eight pēneys of ewerie kow and oxe foure pennies, and of everie cart of whatsumewir cōmodities twa shillingis To be applyed to the beiting mending repairing and wpholding of the saidꝭ calseyis And for the better collecting and ingaddering of this custome and dewtie With power to the saidꝭ supplicantꝭ To caus big and sett ane port at suche pairt and place

of the calseyis as they frome tyme to tyme sall think expedient and to close the port and suffer none to hawe passage that way bot such as sall pay the dewtie foirsaid debarring all otheris frome passage who sall refuse to pay the same With power Lyikwayes to the saidȩ collectorȩ To pound the reddiest goodȩ and geir of the personis refuiseing to pay the said dewtie according to the availl and proportioun of that quhilk is dew to be payed be thame And the saidȩ Lords ordains this commissioun and warrand to stand in full force and effect and to continew and indure and have executioun for the space of nynteine yeeres nixt and Imediatlie following the day and date of thir pñtes during the quhilk space the saidis Lordis Ordains the saids supplicantȩ to enterteaine and vphold the saids Calseyis

XXV.

The Parliament ratify King Charles I.'s grant (of 11th November, 1641) of the Church of St. Nicholas. 17th November, 1641.*

Our Soverane Lord and haill estates of this pñt parliat ordeanes ane act to be made therine Ratifieing and approveing þe lẽrs of Gifte made and granted be our said soverane Lord To and in favoures of the proveist baillies counsell and comvntie of the burghe of Abirdene now present and to there successoures in all tyme comeing of the Dait the ellevint Day of november instant Quhairby our said soverane lord for the considerationes therin contenit Hes givine granted foundit mortified and Disponed To the sds Proveist baillies counsell and commontie of the said burt and ther successoures in all tyme comeing All and haill the kirke of St nicolas within þe said burt with the haill teyndis personage and viccarage therof Togidder with the right of patronage ⁊ presentatione of the ministeres therto As ofte and sua ofte as þe samene shall happine to occurre in tyme comeing To remaine with the saidis Proveist baillies counsell and commontie of the said burt and ther successoures for evir in all tyme comeing And sicklyke hes vnite and annexit þe said kirke of St Nicolas and teyndis personage and viccarage therof with the right of patronage therof foirsaid to the said burghe of Abirdene And hes ordeaned that ane seasing to be

* No. XLVII., p. 199.

now once takine therof be þe saidis Proveist baillies counsell and commontie of the said bũr^t^ at þe mercat eroce þ^r^of shall stand effectuall and be ane sufficient seasing to them for evir in all tyme comeing without any necessity for taking new seasing therof at any tyme thereftir To be holdine in maner specified in þe said gifte As the samene of the dait foirsaid at mair Lenth beeres In all and sindrie þe heedis Clauss and conditiones therin contenit And eftir the forme and tenno^r^ þairof in all poyntes

XXVI.

The Parliament ratify King Charles I.'s charter (of 9th September, 1638) confirming the privileges of the Burgh. 17th November, 1641.*

Our Soverane Lord and Estates of this pñt Parliament Ratifies and approves and for his hienes and his successoures perpetuallie Confirmes The Charter mad and granted be his hienes with advyse and consent of his Mãties thesaur^e^s prin^ll^ and deputie and remanent Lordis of his hienes excheker of this realme for the tyme wnder þe great seale of þe dait þe Nynt day of september The 3eer of God J^m^vj^c^ Therttie eight 3eeres Quhairby our said soverane Lord . . . [see p. 155] . . . as the said charto^r^ of the dait foirsaid at mair lenth beeres with þe precept of seasing fallowing therwpon under the testimony of þe great seale of þe samene dait and instrument of seasing falloweing þairvpon off the dait þe last day of October the said 3eer of God J^m^vi^c^ therttie eight 3eeres IN ALL AND sindrie þe heedis poyntes clauss articles and conditiones therin conteined; and eftir þe formes and tennore þairof in all poyntes AND oure said Soverane Lord and þe Estates of Parliament willis and grantes and for them and ther successoures decernes and ordeanes that this present ratificatione of the said charto^r^ precept and seasing falloweing þ^r^wpoun and others actes and charto^r^ȩ þairin mentionat is and shall be alse valied and sufficient and of alse great strenth force and effect to þe saidis proveist baillies counsell and cõmonitie of þe said burghe of Abirdene and ther successoures, for bruiking and joysing of þe said bur^t^ of Aberdeine and all and sindrie landis heritadges forrestes mylnes wodis fisheinges offices casualities liberties priviledges im-

* No. XLVI., p. 155.

munities and oþrs whatsomevir, conteaned in þe said chartor and otherwayes belonging therto as if þe samene chartor precept seasing actes and otheres above spẽit therin mentionat ware all at lenth word be word insert ingrost and conteaned in the said ratificatione therof NOTWITHSTANDING that the samene be not sua done QUHAIRANENT and withall other defectes and imperfectiones whatsomevir whilkis may be proponit or alledged aganes þe samene chartor precept and seasing actes chartorꝭ and otheres writtes foirsaidis þairinmentionat or any of them, and the said Ratificatione þairof OUR said soverane Lord and Estates of this present parliament Hes Dispensit And be þir pñtes Dispenss̃ For evir

XXVII.

The Parliament grant warrant for payment of £12,960 Scots to the burgh from the burgh Excise, being proportion of money furnished to purchase arms. 18th July, 1644.

The Estates of parliament presentlie conveint By vertew of the Last act of þe last parliament Haldine be his Matie and thrie estates in Anno 1641 Be thir pñtes Gives precept and warrand to þe Thesaurer or collector Generall of the excise and to þe Commisr and intrometeres with the moneyes barrowed for þe use of þe publict To make payment to þe burghe of Aberdene or ony haveand ther power and warrand out of þe first and reddiest of the Excise or barrowed moneyes wch shall be exacted uplifted or barrowed for þe use of the publict within the said burghe of Abirdeine of the soume of Tuelff Thousand Nyne hundreth thriscoire pundes scotes with the ãrent therof sence mertimes Jmvjc ٦t fourtie tuo yeeres Quhilke is that pairt and proportiõun payed and advanced be þe burghe of Aberdene for þe publict To the factor at campheir of the pryces of þe Armes and ammunitione sent home be the factorꝭ for þe use of the publict to this Cuntrie the tyme of the late troubles And qrof þe frie royall burrowes and ther burgess reẽtiue advanceres and payeres therof to þe factorꝭ at campheir Are ordeind to be repayed be ordinance of þe parliament Out of the said Excise and barrowed moneyes within ther owne burghes reẽtiue Conforme to þe act and ordinance made heirwpoun of þe dait heirof Quhairanent thir pñtes shall be a sufficient warrand

XXVIII.

The Parliament elect the Councillors of the burgh for the current year. 6th February, 1647.

Forsamekle as there being ane proces depending before the Cõmittie of estates and remitted to þe determinaõune of the parliament concerning the Late election of the counsell and magistratis of Abirdene And the samen being nòw takine in consideration be the estates of parliament with what hes bene said for and against the samen THEY FIND That in regaird of some excõmunicat persones and otherȩ of the rebellis being in armes within the toune Iñediatlie before and about the tyme of thair election and of there intermedling þrin The election hes not bene caried on wt that friedome qlk is allowed be þe Law and vsuall in the Lyke caises And therefore declares and decernis the said election to have bene and to be enforced vnfrie and illegall And for removeing of anie scandall that hes rissen and prejudice that hes or may ensue vpon the said election if it sould have cours: for reestablishing the election in the ordinarie dew and Legall way for the tyme to come and for diverse other good and Important considerations The estates of parliament have thocht fitt to tak vpon themselfis the election of the Counsell of Abirdene for the pñt yeir And haveing informed themselfis sufficientlie of the persones ablest and fittest for the charge THEY DOE NOMINAT and appoint patrik Leslie elder Mr Rot farqr Mr Thomas gray Johne hay mr wm moir Thomas Mortimer Alexr Jaffray george cullen patrik Leslie yor Walter cochrane Alexr burnet elder Johne Jaffray Alexr farqr Thomas mowat george aedie david sinclare charles robertsone peter sheirar and Wm Sangster To be the Nyntene counsellorȩ of þe said burgh for the pñt yeir And ordains them vpon þe tuentie fourt day of this moneth at fardest or sooner if convenientlie they can To conveene in the ordinarie place of meitting And thair be themselfis onlie to mak election of the provest baillies and other magistratis and officerȩ wtin the sd burgh for the samen yeir of thair awne number Quhilks persones ar to exerce the saidis places and offices of magistracie and counsell vntill the nixt ordinar tyme of election And then they ar to mak

choose of þr successorꝭ in the saidis places for the nixt yeir to come of men of knawne affection to the caus conforme to þe Law and vsuall custome of the burgh And it is heirby provydit That this act sall neither prejudge anie infeftmentꝭ and saisingis given by the persones elected In maner foresaid nor anie Laufull deid done by them in conveyance of richtis and administration of justice or keiping the said toune in order this tyme bygone nor the priviledges of the said burgh in the election of the counsell and magistratis In tym comeing Declaring Lykewise Inregaird that the clerk who was in place is Laitlie deceissed That the counsell abouenamed and magistratis be them to be elected Sall satle and dispose of the said place as they sall find most conduceable to þe Peice of þe toune and to þe publict caus And ordains Lr̃es to be direct heirvpon to the effect before ordaned vpon ane simple charge of xv dayis

XXIX.

The Parliament recognise the public indebtedness to the burgh to the extent of £39,084 10*s.* 8*d. and* £221,036 5*s. Scots.* 27*th March,* 1647.

The Estates of parliament Haveing hard and considered the Report of that Comittie appointed for hearing of þe suplications and sitling of þe accomptis of the burgh of Abirdene and vþr distrest burghes and schyres CONCERNING the suplication and accomptis of þe sd burgh of Abirdene For payment of þr quarteringis the fleymis money and other sowmes furneist and Lent be them for þe vse of the publict by order of þe Comittie of estates THEY FIND That thair is justlie restand awand be the publict to the toune of Abirdene of fleymis money advanced be them in anno 1641 and of vþr moneyis furneist and lent be them and payed to Johne denholme Cōmissr for þe north in anno 1644 be order of þe Cōmittie of estates The sowme of Threttie nyne thousand fourscore foure pundꝭ 10s. 8d. money of prinll sowmes and anuelrentis at Candlemes Lastbypast Jmvjc ⁊ fourtie sevin yeirꝭ By vþr great sowmes of money borrowed from severall persones Inhabitantes of the burgh of Abirdene and not compted nor comprehendit in the sowme abonewr̃in Quhilk sowme of Threttie nyne thousand Fourscore foure pundꝭ 10s. 8d. abone-

mentioned The estates of parliament declares to be ane publict debt adebtit be the kingdom to þe burgh of Abirdene And grants heirby to them the publict securitie and publict faith for payment þrof to them wt anuelrent for the fleymis money and lent moneyis fores^d since Candlemes Last and whill the payment And doe heirby obleidge the estates of þe kingdome for that effect And ordains the foresaid fleymis money and anuelrentis þrof wt þe anuelrent of þe said Lent moneyis To be payit out of the excise of þe kingdom eftir þe sowme appointed out of the excise for mantenance of þe armie beis first compleit and made vp to the armie And also The s^dꝙ estates of parliament FINDIS by the fores^d Report That thair is restand awand to þe burgh of Abirdene and inhabitants þrof be the publict for quarteringis of horss and foote officerꝙ and souldiorꝙ their from tyme to tyme at frie quarterꝙ preceiding þe twentie of februar J^mvj^c ⁊ fourtie sevin yeirꝙ and for vþr incident necessr charges debursed be them vpon warrandis instructed The sowme of Twa hundreth tuentie ane thousand threttie sex pundis fyve schillingis scotis money And that it is the opinion of þe fores^d Cōmittie That suche restis as is ȝit vnpayit be the toune of Abirdene of þr awne mantenance of þe first sevintene monethis Sould be allowed to them In pairt of payment of þr s^dꝙ quarteringis Quhilk article of þe fores^d Report concerning the fores^dꝙ quarteringis and vþr incident charges debursed be þe toune of Abirdene amounting to þe fores^d sowme of Two hundereth tuentie ane thousand threttie sex pundꝙ 5s. scotis money wt the alloweing of these restꝙ of þe toune of Abirdene mantenance of þe first sevinten monethis suche as is vnpayed þrof to them In pairt of payment of þe s^dꝙ quarteringis The saidis estates of parliament In respect of þe singular caise and condition of þe toune of Abirdene REMITTIS to the Cōmittie of estates To be tane in consideration be þm and Wt power to them to determine þranent and tak some effectuall course for þe tounes releise þrof as the Cōmittie sall find just and reasonable But prejudice of the payt of þe armie and wt Reȝvaoune of þe Lord humbies act and payt and of former assignementꝙ And that no assignementꝙ be granted of anie of þe money dew be the parliament of England to this kingdome

XXX.

The Parliament relieve the burgh from the payment of certain arrears, and grant the sum of £1000 sterling to the Magistrates. 12th March, 1649.

THE ESTATES OF PARLIAMENT Taking to thair consideratioune the Supplicatioune given in to thame be the Magistratis and counsall of þe burgh of Aberdene for thameselffis and in name and behalff of the Inhabitantis of the said burgh SHEWING the great soumes dew to thame by the publict with þr Losses and sufferinges as the samyne are mentioned and instructed in the said supplicatioune And that without present helpe they in that toune will be vterlie ruined AND THAIRFORE desyreing whill some vther effectuall course be taken for þr releife That the mantenance and excyse Wch is dew and payable be thame for byganes and What sall be due in tyme to come may be allowed to the supplicantis in þr awne handis As the supplicatioune mair fullie beires And als considdering The Reporte of the Cōmittee of cōmoune burdings Wherevnto the samyne wes remitted Finding the haill soumes resting to the said burgh cleirlie instructed (uherof one great pairt formerlie approven and declaired publict debt by act of parliament*) And þt þr will be due and restand to the said burgh in haill The soume of Nyne hundreth Tuentie sevin thousand ane hundreth and twentie Merkis and no pairt þrof peyed AND that it is the opinione of the said Cōmittee In regarde of the great soumes advanced by the said burgh to the publict And to encourage and strengthen the handis of their honest magistratis and ministeris That the soume of Ane thousand Merkis monthlie continew suspendit as formerlie And what of þr mantenance is formerlie suspendit and fund resting by the said burgh be allowed to thame in pairt of peyment of the soumes dew to thame by the publict And that the Excyse of the said Burgh since the first of februar Last be signed and alloued to thame in tyme cumeing Whill þr flemis and Lent moneyis with the anuel-rent þrof be compleitlie peyed And that some present and effectual course be taken for the farder reparatioune and releefe of the saide burgh and that they be seriouslie recōmendit to the Cōmittee of estaites for that

* No. XXIX., p. 262.

effect QUHILK Supplicatioune and Reporte þrof being considderit by the estaites of parliament THEY In regarde of þe present sadd and distrest conditioune of the said burgh of Aberdene ORDAINE thame to be liberate and fred and doe heerby Dischairge and exoner the said burgh of Aberdene of all bygane Monethlie mantenance ather restand vnpeyed be thame Or suspendit to thame for any monethis preceeding the first of februar last 1649 yeires Whereof the parliament declaires thame frie And allowis the samyne to thame in satisffactioune pro tanto of the soumes dew to thame be the publict AND FARDER The said estaites of parliament Ordaines The Soume of Ane thousand pundis sterling To be allowed and payed to the Magistratis of Aberdene out of the first and reddiest of the mantenance Excyse or vther publict dewis to be vplifted out of the said burgh of Aberdene or shire þrof For the Moneth of februar last 1649 yeeres and subsequent monethis þrefter AND to that effect The saidis Estaites Gives heerby precept and Warrand to the Generall Cõmissar and his deputtis To mak payment to the Magistratis of Aberdene of the foirsaid Ane thousand pundis sterling in maner foirsaid And Declaires thir pñtis with their dischairge to be ane sufficient Warrand To the General Cõmissar and his deputtis for þr exoneratioune in þr accomptis for the said thousand pundis sterling pro tanto AND ORDAINES the said soume to be imployed be the Magistratis of Aberdene for making vp of a pairt of the mortified moneyis in þr burgh Tane vp and advanced be thame for the vse and service of the publict And for the remanent memberis of þr Supplicatioune and report With the actis and instructiounes þrof concerneing the remanent soumes þrinmentionat dew be the publict to the burgh of Aberdene The saidis Estaites of parliament Remittis and recõmendis the samyne in ane serious maner To the Committee of estaites That ane speedie and effectuall course be taken for þe releese aud reparatioune of the burdinges and Losses of the said burgh as the said Cõmittee shall think expedient

XXXI.

The Parliament ordain the Commissary of Aberdeen to sit within the burgh. 16*th March*, 1649.

THE ESTATES of parliament Taking to þr consideratioune that

the Cōmissar of Aberdene hes his seatt of Iustice uithin ane village Called old aberdene where nether proʳᵩ nor vthers memberis of Court dwellis nor can convenientlie attend So that the Leidges dwelling within the said dyocie of Aberdene are much damnified and dissapoynted of Iustice þrby And that it wald tend much to the gude of the Leidges That the said Cōmissar did sitt and administrat justice uithin the burgh of Aberdene where all þe vþr Iudicatories of that boundis does sitt and memberis of the said Cōmissariote dwells THAIRFORE and inrespect that it is the earnest desyre of the Cōmissioneris of the schire and burgh of aberdene and memberis of the said Cōmisariote THEY doe ordaine That in all tyme cuming the said Cōmissar of Aberdene and his deputtis Sall sitt and administrat Iustice uithin the burgh of Aberdene where proʳᵩ and memberis of Courte may attend and the Leidges may be eased and not preiudged throw want of þr attendance And declaires thir pñtis sall be ane sufficient warrand for the said Cōmisar to change his seate of Iustice to the place foirsaid

XXXII.

The Lord Protector and his Council ordain that Aberdeen, Banff, and Cullen shall conjointly return a member to Parliament. 27*th June*, 1654.

Whereas by the Government of the Commonwealth of England, Scotland and Ireland, publiquely Declared at Westminster the sixteenth day of December 1653. It is declared, that the Distribution of the Persons to be chosen for Scotland, and the severall Counties, Cities and places uithin the same shall be according to such proportions ꝯ numbers as shall be agreed upon and declared by the Lord Protector, ꝯ the major part of the Council, before the sending forth Writs of Summons for the next Parlament. And whereas His Highness and the major part of the Council, before the sending forth of any Writs of Summons aforesaid, did Agree and Declare the Distribution of the persons to be chosen for Scotland, According to the proportions and numbers hereafter mentioned; It is therefore Ordained, Declared and Agreed by His Highness the Lord Protector uith the consent of the Council, That the persons to be chosen

for Scotland, and the severall Counties, Cities and Places within the same, shall be according to the proportions and numbers hereafter expressed: That is to say, . . . For the Broughs of Bamph, Cullen and Aberdeen, one, and the place of meeting for the Election of such person shall be at Aberdeen; . . . And it is further Ordained by his said Highness the Lord Protector with the consent of the Council, That for the effectual and orderly Election of the persons aforesaid to be chosen to sit and serve in Parlament, as in the said Government is declared, several Writs under the Great Seal of England, shall issue and be directed to the several and respective Sheriffs of the several and respective shires, wherein the respective Elections are to be made of the respective persons to serve in Parlament for ye respective shires, & to the respective Sheriffs of the County where the Elections for the Boroughs are hereby appointed to be made according to the distribution aforesaid; and that the respective Sheriffs to whom such Writs shall be directed, are hereby Authorized and Impowred to make or cause Proclamation to be made of such Writ in all the Counties Boroughs and places respectively for the making such Election and Elections, and to issue his Warrant to the Chief Officer of the place, where such Election for Boroughs is to be made, notwithstanding the same be not within the shire wherof such person is Sheriff, and to Cause the Elections to be made accordingly; Which Writs the Chancellour, Keeper, or Commissioners of the Great Seal of England, for the time being, shall Seal, Issue, and send forth.

XXXIII.

*The Parliament renew the grant of 17th July, 1634, by the Privy Council to the burgh, for a further term of nineteen years. 22nd February, 1661.**

The Estates of Parliament takeing to their consideration a supplication given in to them by the Provest Baillies and Councill of the burgh of Aberdein Shewing that the Lords of Secreit Councill by their Cōmission dated the Seventeinth of July 1634 yeers did grant warrant to the Magistrats & Councill of the said burgh of Aberdein to vplift a certaine dutie for the space of nyntein yeers after the date

* No. XXIV., p. 256.

of the said Cōmission from all passengers and for all horse loads carts sheip and nolt comeing or goeing be the Calsayes of Cowymonth for vpholding & maintaining of the said Calsays And that they did not enioy the benefite of the said Cōmission above the space of three or four yeers preceiding the late troubles And therfor craveing that in regaird the said Calsays are now become broken & rwinous and the said burgh is not able to repair them vpon their oune charges That it would please the saids Estates of Parliament to grant warrand to the supplicants & their Collectors to exact & vplift the dueties contained in the said Cōmission of Secreit Councill of all passingers horse loads cairts sheep or nolt passand be the said calsayes and in the maner spēit in the said Cōmission in all points As the said supplication at more lenth beares And the saids Estates of Parliament haveing also seen & considered the forsaid Cōmission of Secreit Councill and particular dueties therin contained Have of new given & granted And be the tenor heirof Give & grant full power warrand & Cōmission to the saids supplicants and to their Collectors to be nominat and appointed by them from tyme to tyme As they shall think expedient To ask crave receave intromet with & vplift the dueties following of all passengers travelling be the said calsays and of all horseloads or cairts sheip or nolt comeing or goeing that way That is to say of everie footman two pennies, of everie horseman Eight pennies, of everie horseload of whatsumever cōmoditie Eight pennies, of everie ten sheip eight pennies, of everie cow & ox four pennies, and of everie cairt of whatsomever cōmodities two shilling to be applyed for the beiting mending repareing & vpholding of the saids Calsayes With power lykwayes to the saids Collectors to poind the readiest goods & geir of the persones refuiseing to pay the said duety according to the availl & proportion of that which is due to be payed by them And to close the port of the saids Calsayes and suffer non to have passage that way bot such as shall pay the forsaid duetie And the saids Estates of Parliament Ordaines this Cōmission & warrand to stand in full force & effect And to continew & endure & have execution for the space of nyntein yeers next & imediatly following the day & date of thir pñts And lykwayes ordains the said supplicants pñtey to repair the said Calsayes And to mantaine & vphold the same As they will be anserable

XXXIV.

The Parliament confirm the provisions of the Act of 16th March, 1649, anent the seat of the Commissary Court. 12th July, 1661.*

The Kings Maiestie and Estates of Parliament takeing to their consideration that the Cōmisser of Aberdein hes his seat of Iustice within ane village called old Aberdein wher neither procurators nor other members of court duells nor can conveniently attend So that the leidges duelling within the said dyocie of Aberdein are much damnified and disappointed of justice thereby, and that it uold tend much to the good of the leidges that the said Cōmisser did sit and administer justice uithin the burgh of Aberdein wher all other judicatories of that bounds does sit and administer justice and the members of the said Court duells. Thairfor and in regaird of the earnest desire of the Cōmissioners of the Shire and burgh and members of the Cōmissariot It wes formerlie appointed that the Cōmisser Court should sit uithin the burgh of Aberdein The Kings Maiestie uith advice and consent of his Estates of Parliament Doth ordeane That in all tyme comeing the said Cōmisser of Aberdein and his deputs Shall sit and administer justice within the burgh of Aberdein wher procurators and members of Court may attend and the leidges may be eased and not preiudged for want of their attendance And declares that thir presents shall be ane sufficient warrand for the said Cōmisser to change his seat of Iustice to the place forsaid and to sit and administer justice therein to all his Maiesties leidges in tyme comeing

XXXV.

The Parliament rescind the preceding Act of 12th July, 1661. 17th July, 1662.

Forasmuch as the Seat of the Cōmissariot of Aberdein wes formerlie in the oldtoun of Aberdein, Wher wis also the Seat of the Bishop of the diocie, And that vpon the desire of the Magistrats of the Newtoun of Aberdein before the late restitution of Bishops The Cōmissary Court wes removed and appointed to sit in the Newtoun ;

* No. XXXI., page 265, which, perhaps, was regarded as falling under the provisions of the Rescissory Act of 28th March, 1661.

And it being most iust that the Seat of the Cōmissariot be wher it wes in former tymes befor these late troubles, and wher the Seat of the Bishop is Thairfor the Kings Maiestie with advice and consent of his Estates of Parliament Ordaines and Appoints, That the Cōmissar Court of the diocie of Aberdein shall be in all tyme comeing keept at the oldtoun of Aberdein And therfor Rescinds and annulls all orders or acts made to the contrarie And declarse the same voyd in all tymecomeing

XXXVI.

The Parliament remit to the Lords of Session a dispute anent the selling of ground malt in the Burgh. 5*th September*, 1662.

The Estates of Parliament having heard a supplication presented vnto them in name of the Cōmissioners of the Shire of Aberdein and burgh of Kintor Shewing that the Magistratis of Aberdein haveing hindered the sale of grund malt within the said burgh vpon the weekly mercat dayes therof and made acts and prohibitions in the contrare, to the great preiudice not only of the haill heritors lyverenters wodsetters and others within the said shire and burgh of Kintor by diminishing their rentalls and Milne rents and depriveing the tennents of their readiest meane to make money Bot also to the great preiudice and against the consent of the whole trades of the said burgh of Aberdein as instruments and protestations taken thervpon beares Humbly desireing that the Magistrats of Aberdein might be discharged from any wayes hindering of any within the said Shire to bring in and sell their grund malt within the said burgh vpon the weekly mercats thairof as the supplication bears Which with the report of the Lords of the Articles who had heard the differences betuixt the Shire and burgh of Aberdeen, Being taken into consideration The Kings Maiestie with advice of his Estates of Parliament Doth remit the decydeing of the pretences of their severall Rights to the Lords of Session In relation to this particular anent the malt Allowing the Shire in the meantyme to reteane thair possession of bringing and selling their malt in the said mercat as formerlie And this without preiudice of either parties rights as accords

XXXVII.

The Parliament extend the grant of 22nd February, 1661, for a further term of nineteen years. 3rd December, 1669.*

The Kings Maiestie and Estates of Parliament haveing heard a supplication presented vnto them in name of the Magistrats and Councill of Aberdein Mentioning That the petitioners haveing been at a considerable expence for building and maintaining of an long calsay in Cowiemonth which is the ordinarie way & passage from the South to the said burgh and to that place of the North of Scotland wher the samen lyes In consideration whairof And for mantenance of the said calsay The late Parliament by their act dated the tuentie tuo day of ffebruary 1661 yeers Did grant warrand to the supplicants to impower some persone to vplift and receave ane pettie imposition from all persons travelling alongs the said calsay vīz tuo pennies scots for everie footman, eight pennies for everie horsman, and for everie load that passeth that way eight pennies, for everie ten sheip eight pennies, for every ox and kow four pennies, And tuo shilling for everie carte of whatsomever cōmoditie And that for beiting repairing and vpholding the said calsays And to endure for the space of Nyntein yeers imediately after the date of the said act As the same of the date forsaid more fully proports And now in regaird the saids calsays are presentlie to be repaired and the ditches casten which will stand the petitioners ane considerable soume of money And that heirefter the same will be neiding always reparations for keepeing the way passable without which in the winter tyme it wer impossible either for horse or foot to travell Humbly desyring That the said imposition may be continewd for the vse aforsaid during ane longer space As the supplication at lenth bears Which with the Report of the Lords of the Articles made theranent being taken into consideration, The Kings Maiestie with advice and consent of his Estates of Parliament Hes continewed and heirby continews the impositions above written formerlie granted to the petitioners for repairing of the said calsay of Cowiemonth Conforme to the former act of Parliament of the date above written And that for the space

* No. XXXIII., p. 267.

of Nynteen yeers After the expyreing of the said former act With power to the saids petitioners, their factors or such as they shall appoint To collect intromet with and vplift the impositions above-written dureing the space forsaid And to vse all legall and fair means for vplifting of the same And to apply the moneys so collected for the vse aforsaid at the sight of Sir Johne Keith of Keithall the Lairds of Elsick Haddo and Pitfoddells To whom or any tuo of them the Kings Mãtie and Estates of Parliament Recõmends to sie this imposition effectually imployed for the vse before mentioned

XXXVIII.

The Parliament appoint Circuit Courts to be held annually in Aberdeen. 30*th August*, 1672.

The Kings Maiestie being Desireous that the publict Judicatories of this Kingdome might be soe regulat, that all abuses which had or might probably creep into the same be redressed and prevented; and that the best, most summar and equall way, of bringing and calling of Processis for Dispensing of Justice should be setled, as his subjects might be releived and secured against oppression and exactions, and that justice might be administrat to them with expedition and as litle trouble and charge as may be . . . For that effect . . . Ordaines . . . Concerning the Justice Courts . . .

5. That once a yeir in the moneth of Aprile or May, Circuit Courts be keiped, tuo of their number appointed to goe and keep Courts at Dumfries and Jedburgh, Tuo at Stirling, Glasgow and Aire, and other tuo at the tounes of Perth Aberdein and Inuerness; the Justice-Generall being always super-numerary in anie of these Circuit-Courts

XXXIX.

The Parliament ratify King James VI.'s Charter of 17*th July*, 1617,* *and King Charles I.'s Charter of* 9*th September*, 1638.† 17*th September*, 1681.

Our Soveraigne Lord with advice and Consent of the haill Estates of Parliament presently conveened Hes Ratified And approven And be thir presents Ratifies Approves and Confirmes Ane Chartor Granted

* No. XLIII., p. 110. † No. XLVI., p. 155.

be King James the Sext his Mãties Royall Grandfather of Blessed memorie of the date the Seventeenth of July I^mvj^c and seventeen years To the Provest Baillies Counsell and Cõmunitie of the Burgh of Aberdeen whereby his Mãties vmq^le Grandfather In relation to And by vertue of ane Act of Parliament Holden At Edinburgh The tuenty Eight of June I^mvj^c seventeen years Dissolved from the Crown and annexations thereof The said Burgh of Aberdeen &c. . . . [See page 113]. Likeas His Mãtie and Estates of Parliament foresaid Have Ratified and Approven And be thir presents Ratifies approves and Confirmes Ane Chartor granted by his Mãties Royall father King Charles the first of blessed memorie of the date the Ninth day of September I^mvj^c threttie eight years whereby his Mãtie with consent of his Thesaurer and deput Ratified and approved The foresaid Chartor granted be his Mãties said vmq^le Grandfather with the precepts of Seasing and Instruments of Seasing following thereupon And act of dissolution above mentioned with all and sũdrie other chartors Infeftments precepts of seasing following thereupon . . . And whereby His Mãties said vmq^le Royall father Did of new Give and Grant To them The foresaid Burgh of Aberdeen with etc. . . . [See page 167.] And Our Soveraign Lord and the Estates of Parliament Wills and Grants And for them and their successors Decerns and Ordains that this present Ratification of the foirsaids tuo chartors and Instruments of Seasing following thereupon And other acts Chartors and other writs particularly and generallie therein mentioned And of the foresaid Gift granted be Our Soveraign Lord to the Provost Baillies Counsell and Cõmunitie of the said Burgh Is and shall be als valide and sufficient And of als great force strength and effect To the saids Provest Baillies Counsell and Communitie of the said Burgh And all and sundrie, lands heretages, fforrests milnes woods fishings, Offices, Casualities liberties priviledges Immunities and others whatsomever Contained in the saids Chartors and otherwayes belonging thereto And for uplifting exacting and receaveing the haill Impositions above mentioned Contained in the said Gift for the use and during the space therein contained As if the samen Chartors precepts of Seasing, Acts and others particularlie and generallie above specified and therein mentioned Togither with the foresaid Gift under his Mãties great Seale were all at length word by word Insert, Ingrossed and contained

in the said Ratification thereof Notwithstanding that the samen be not sua done Whereanent and with all other defects and imperfections whatsomever which may be proponed or alledged against the foresaids tuo Chartors precepts of Seasings Acts Chartors and other writs above specified therein mentioned Or against the said Gift granted by his Mãtie to the said Burgh under his Highnes great seale Or any of them Or against this present Ratification thereof Our Soveraign Lord And Estates of this present Parliament Have dispensed And hereby dispenses for ever.

XL.

The Privy Council appoint a voluntary contribution to be collected throughout Scotland towards repairing the Harbour of Aberdeen. 7th July, 1682.

Forasmuch, as there being a Petition given in to the Lords of His Majesties Privy Council, by the Magistrates, and Town-council of Aberdeen, Representing, that the town of Aberdeen having a considerable Sea trade within themselves, and which is of a considerable advantage to the Countrey, and without a good Harbour, cannot be well mannaged; and at the entry thereto, near the mouth of the River of Dee, there being by stress of Weather, several Banks casten up, and which is likewise, partly occasioned by the diversion of the current of the River, which, when running in the middle Channel, did cleanse the entry of the Harbour from Sand and Banks; and after serious and deliberate advice, its found, that the River cannot well be preserved, in running its due course, without having a Bulwark upon the North shore, as there is one already on the south side thereof; and whereby the Stream will run in the middle, the building whereof at an equal computation, will cost at least one thousand pound sterling, besides the reparing of the Key alongst the Shore, which is of a considerable length; and which expenses, the Town in regard of the publick burdens, and great debt they ly under, of themselves, are not able to defray it, without that by the Councils Act, they have some assistance of their neighbours, by way of general Collection, as is usual to be granted in the like cases; and as the town of Aberdeen hath never hitherto been burdensom to their neighbours, in addresses

of this nature, so they were never wanting to contribute to the outmost of their power, in the assisting the building of all publick Works, when occasion required; and as the Harbour of Aberdeen is of necessary use, to preserve the Trade of that place, so the keeping up, and maintaining of the same, is of no less concern to the hail Liedges, and which inevitably will ruine without present supply; And therefore humbly Supplicating, that a voluntar Contribution might be granted, in manner under-written, towards the Building and Reparing of the said Harbour. The Lords of His Majesties Privy Council, having heard and considered the foresaid Petition, Do hereby grant Order and Warrand, for a voluntar Contribution to be Collected through the hail Kingdom, towards the Building and Reparing of the said Harbour of Aberdeen; and Recommend to the Arch-bishops and Bishops, to cause the Ministers in their respective Diocesses, to make intimation of the said Contribution, in their several Paroch Kirks, upon the Lords Day And ordain Alexander Anderson, present Town Thesaurer of Aberdeen and his successors in the said Office, for the time being, to uplift and Collect the foresaid voluntar Contribution, in regard sufficient Caution is found for them, that what Money shall be Collected, shall be made forthcoming, and imployed to the use foresaid, and to be countable therefore, when required.

XLI.

The Parliament rescind the Act of 17th July, 1662, anent the seat of the Commissary Court. 22nd July, 1690.*

Our Soveraigne Lord and Lady The King and Queens Majesties with the Advyce and consent of the Estates of Parliament Considering That the Commissar Court of Aberdeen was alwayes in use to sitt and be holden within the burgh of Aberdein as Head burgh of the shyre most commodious for the Leiges who resort thither about their lawfull affaires, and for the whole members of the Court who have their residence in the said burgh untill the yeare I^{m}vj^{c} and sixty tuo that Episcopacie uas established, At which tyme there uas ane act of Parliament impetrate Ordaneing and appointing the said Commissar Court to sitt in the old

* No. XXXV., p. 269.

toun of Aberdein in respect the samine uas the Bishop of Aberdeins seat, And now seeing that Episcopacy is now abolished and that the said burgh of Aberdein is not only the place where the said Commissar Court uas in use to sitt and be holden before the said Act, but alsoe is the most commodious both for the Leidges and members of Court for the cause above written Therefore their Majesties uith advyce and consent of the Estates of Parliament hath thought fitt to Rescind and hereby Rescinds the forsaid act of Parliament appointing the said Cōmissar Court to sitt and be holden uithin the old Town of Aberdein And Ordaines the present Cōmissars of Aberdein and their successors to sitt, affix and hold their ordinary Courts uithin the said burgh of Aberdein Notwithstanding of the forsaid Act or any other act to the contraire.

XLII.

The Parliament renew King Charles II.'s grant (of 30th September, 1678) to the burgh of certain excise duties. 16th July, 1695.*

Our Soveraign Lord considering that the Toun of Aberdeen one of the most eminent of the Burghs Royal of this Kingdom both for Trade Policy Learning and Loyalty hath these many years bygone and ever since the beginning of the late intestine troubles anno One thousand Six hundred and fourty sustained great Sufferings and loses not only by their being subject to quarterings and other publick burdens but also by their being exposed to the frequent Incursions of Enemyes who have plundered their goods and wasted and destroyed their corns and houses And particularly by their being insulted invaded and opprest since the late happy Revolution by the Highland Rebells under the command of Major-General Buchan Likas the sufferings and losses of the said burgh, having been formerly taken into consideration were by Act of Parliament† Estimat and stated to no less than nyne hundred and twenty sevin thousand merks which moved his late Majesty King Charles the Second to give to the sd Burgh in the year One thousand Six hundred sevinty eight an gift of the Imposition of four pennies scots on the pint of ale and drinking beer with other

* No. LI., p. 207. † No. XXX., p. 264.

Impositions on wine brandy and other Commodities therein mentioned for the space of elevin years which though it proved some relieffe to the said Burgh to prevent their utter undoing yet it did fall farr short of defraying all their debts so that to this day they are in no less than one hundred and twenty thousand pounds scots of burden for payment of the annual rent quherof they are necessitat to tax their Inhabitants yearly the Toun good not being able to pay the saids annual rents with the other necessary charges and expenses of the Burgh Likas there is a present necessity for mending and repairing their peer and harbour which tends not only to the privat advantage of the said Burgh and Community, but likewise to the common good and interest of the whole Nation And his Majesty finding nothing more just and easie for the relieffe of the said Burgh and its Inhabitants than that a gift of the forsaid former Impositions should be renewed in their favours seeing the same for the most part will be payable by themselves Therefore His Majesty with the advice and Consent of the Estates of Parliament Gives grants and Dispones to the Provest Baillies and Toun Council of the said Burgh for the use and in name of the Community thereof, the Imposition of two pennies Scots on every pint of ale browen and vended within the said Burgh and its liberties with fifty pounds money forsaid on every Tunn of ffrench wine and fifty pounds on every butt of Sack Spanish or Ranish wine Tue shilling Scots on every pint of brandy wine imported or of strong waters or aquavitae imported browen or vended within the said Burgh All which Impositions are to be uplifted from and payed by the Sellers or Vintners of the wine, ale, drinking beer, brandy aquavitæ, strong waters the brewars of malt As also his Majesty with advice and consent forsaid Statutes and ordains that the money to be raised by the Impositions above written shall be waired out and imployed at the oversight and by the advice of the Earles of Erroll and Kintore and S^{r} Thomas Burnet of Leyes and the present Commissioners for the shire of Aberdeen to the Parliament to the effect the samen may be rightly managed for the ends and uses above specifyed And which Impositions upon the wine ale and other liquors shall be without prejudice and over and above the ordinar and annexed excise payable to his Majesty And the forsaids haill Impositions are to endure the space of thretteen years after the date hereof With power to the

foirsaids Magistrats and Toun Council to uplift the same and if need beis to poynd Distrinzie and use all other lawfull diligence for ingathering thereof as they are in use to do for any of their ordinar Customs and other parts of their publick good and revenue As likewise to appoynt Collectors one or more for the end forsaid, or to farm and sett the same in great as they shall judge convenient Providing allwayes likas it is hereby provided that the saids Magistrats Town Council and their Successors Administrat the forsaids Impositions faithfully and imploy the same carefully, for payment of their debts in the first place, and next for repairing of their harbour and other publick works belonging to the Burgh by the advice forsaid as they will be answearable And notwithstanding that the forsaid Imposition is granted for the space of thretteen years yet it is hereby Declared that if within the forsaid time the whole debts of the said Burgh shall be compleatly payed And the said harbour with the other publick buildings repaired That then and in that case the forsaid Imposition shall terminat and the Inhabitants shall be no longer lyable in payment of the same

XLIII.

The Parliament appoint one of the Representatives of Scotland in the British Parliament to be chosen by Aberdeen, Inverbervy, Montrose, Arbroath and Brechin. 5*th February*, 1707.

Our Soveraign Lady Considering that by the twenty second Article of the Treaty of Union as the same is ratified by ane Act past in this Session of Parliament upon the sixteenth of January last It is provided that by virtue of the said Treaty of the Peers of Scotland at the time of the Union Sixteen shall be the number to sit and vote in the House of Lords and Fourty five the number of the Representatives of Scotland in the House of Commons of the Parliament of Great Britain ordains that of the said Fourty five Representatives of Scotland in the house of Commons in the Parliament of Great Britain Thirty shall be chosen by the Shires or Stewartries and Fifteen by the Royall Burrows as follows viz . . . The burghs of Aberdeen Inverbervy Montrose Aberbrothock and Brechin one . . .

XLIV.

The Parliament continue the grant of 16th July, 1695, for the further space of twenty-five years. 25th March, 1707.*

Our Sovereign Lady and Estates of Parliament considering a Petition given in by the Provost Baillies and Councill of Aberdeen Representing the expence they have been brought to by the reparation and building of a bulwark for supporting their harbour by the reparation of their prison and expence they will be put to in bringing water into the Toun By which and their former debts they are reduced to straits and therefore Craving a prorogation of a former gift in their favors for the space of twenty five years after outrunning thereof Therefore Her Majesty and Estates foresaid Do hereby Ratifie and Approve the said former Act in their favors which is dated the sixteenth day of July I^{m}vj^{c} and ninety five And after expiration thereof Prorogat the same for the space of twenty five years more to be uplifted and collected by them in such form and manner during the said twenty five years as they shall think fit They being always oblidged to apply the sum so uplifted by virtue of this and the former gift towards the payment of the principall sums due by them in the first place And that at the sight of the Earl of Seafield Lord High Chancellour the Earl of Mar Lord Secretary the Earl of Erroll Earl Marischall Earl of Kintoir the Lords Forbes and Fraser Sir Thomas Burnet of Leyes and the present Commissioners to the Parliament for the shire of Aberdeen to whom from year to year they are to be accountable for their management With the burden always of fourty pounds Sterling yearly during the continuance of this and the former gift towards a sallary to Doctor Thomas Bowar Regius Professor of Mathematicks in the Kings Colledge of Aberdeen and his successors in office payable at two terms in the year Whitsunday and Martinmas by equal portions beginning the first terms payment at Whitsunday next And thirty pounds Sterling payable at Whitsunday and Martinmas next by equall portions to Alexander Baillie servitor to the Lord Register or his assigns in part payment for his great pains and expence in putting in order the Records and Warrands in the Lower Parliament house Making Inventorys of the

* No. XLII., p. 276.

books and Searching out and writing a register of the old Publick Treaties betwixt this and other Nations And Ordain the Magistrats of the said Burgh to pay the said respective sums accordingly And to the effect the said Toun of Aberdeen may be the better inabled to pay the said sum of fourty pounds Sterling yearly to the said Doctor Bowar and his successors and the said Thirty pounds Sterling to the said Alexander Baillie in manner forsaid out of what arises from the said gift And in regard they have severall publick and useful works of their own to finish and carry on for the publick utility Therefore Her Majesty and the Estates of Parliament Extend the imposition upon Liquors mentioned in their said gift to what shall be brown and vended in the old toun of Aberdeen, Colledge bounds Spittle and Seaton, from and after the said term of Whitsunday next And Statut and Ordain That all liquor brown and vended in the said old toun Colledge bounds Spittle and Seaton, from that term and during the continuance of this gift shall be lyable to the same imposition on liquors that are brown and vended in the New-toun, And that the said Toun of Aberdeen their Collectors or tacksmen may levy collect and uplift the said imposition during the space foresaid in the same way and manner as they have levyd and collected or shall levy and collect the same from their own brewars and retailers And Declare this Act to be as effectual as if it had been contained in their first gift hereby prorogated

ACTS OF THE BRITISH PARLIAMENT.

Subjoined are the titles of the principal Acts affecting the Burgh of Aberdeen of date subsequent to the Union.

8 George I., c. xxviii.

An Act for supplying the Records of the Commissary Court of Aberdeen, burnt or lost in the late Fire there. 7th March, $172\frac{1}{2}$.

9 George I., c. xxv.

An Act for making more effectual an Act passed in the Eighth year of His present Majesty's Reign, Intituled, An Act for supplying the Records of the Commissary Court of Aberdeen, burnt or lost in the late Fire there. 27th May, 1723.

4 George II., c. xiii.

An Act for the further continuing the Duties granted by an Act passed in the Parliament of *Scotland* in the year One thousand six hundred and ninety five,* and continued by an Act passed in the Year One thousand seven hundred and seven,† for payment off the Debts of the Town of *Aberdeen*, and for the other publick Uses of the said Town. 7th May, 1731.

13 George III., c. xxix.

An Act for deepening, cleansing, and making more commodious, the Harbour of Aberdeen; for erecting new Piers and Quays therein; and for regulating Ships and Vessels trading into, and going out of, the said Harbour. 1st April, 1773.

35 George III., c. xli.

An Act to continue the Term and alter and enlarge the Powers, of an Act, made in the Thirteenth Year of the Reign of His present Majesty, intituled an Act for deepening, cleansing and making more commodious, the Harbour of Aberdeen; for erecting New Piers and Quays therein; and for regulating Ships and

* No. XLII., p. 276. † No. XLIV., p. 279.

Vessels trading into and going out of, the said Harbour. 28th April, 1795.

35 George III., c. lxxvi.

An Act for the better paving, lighting, cleansing and otherwise improving the Streets, Lanes and other Publick Passages of the City of Aberdeen, and the Roads and Avenues within the Royalty thereof; for the better supplying the Inhabitants with fresh Water, and for the removing and preventing all Obstructions and Annoyances within the said City and Royalty. 19th May, 1795.

36 George III., c. lxviii.

An Act for making and maintaining a Navigable Canal from the Harbour of Aberdeen, in the Parish of Aberdeen or Saint Nicholas, into the River Don, at or near the South end of the Bridge over the same (adjacent to the Royal Burgh of Inverurie), in the Parish of Kintore, all within the County of Aberdeen, North Britain. 26th April, 1796.

37 George III., c. ci.

An Act for enlarging and improving the Harbour of Aberdeen; for building new Quays, Wharfs and Docks; and for making new Roads and Passages, and widening others leading to and from the said Harbour. 4th July, 1797.

39 and 40 George III., c. xi. (Local.)

An Act for opening and making Two new Streets in the City of Aberdeen. 4th April, 1800.

41 George III., c. iii. (Local.)

An Act for better enabling the Company of Proprietors of the Aberdeenshire Canal Navigation to complete the same. 24th March, 1801.

42 George III., c. xl. (Local.)

An Act for building and maintaining a House of Correction in and for the City and County of Aberdeen, and for raising a Fund for defraying the Charges of apprehending, prosecuting and subsisting Criminals, Rogues and Vagabonds found within the said City and Liberties thereof. 7th May, 1802.

48 George III., c. xx. (Local.)

An Act for altering and enlarging the powers of so much of an Act of the Forty-second Year of his Majesty's Reign, as relates

to building and maintaining a House of Correction in and for the City and County of Aberdeen. 14th April, 1808.

49 George III., c. iii. (Local.)

An Act for better enabling the Company of Proprietors of the Aberdeenshire Canal Navigation to raise the necessary Fund to complete the same. 13th March, 1810.

50 George III., c. lxx. (Local.)

An Act to amend several Acts of the Thirteenth, Thirty-fifth and Thirty-seventh Years of His present Majesty for deepening and making more commodious the Harbour of Aberdeen. 18th May, 1810.

53 George III., c. clvii. (Local.)

An Act for further improving the Harbour of Aberdeen. 22nd June, 1813.

54 George III., c. c. (Local.)

An Act for erecting and maintaining a new Court House and other offices for the City and County of Aberdeen, and for providing and maintaining an additional Gaol for the City and County, and for other purposes relating thereto. 17th June, 1814.

58 George III., c. lix. (Local.)

An Act for better Paving, Cleansing, Lighting, Watching, and Improving the Streets, Lanes and other Public Places and Passages of the City of Aberdeen, and the Roads and Avenues within the Freedom and Royalty thereof; and for supplying the Inhabitants of the said City with Water. 23rd May, 1818.

59 George III., c. xxxiii. (Local.)

An Act to alter and amend an Act of the fifty-fourth year of his present Majesty, for erecting and maintaining a new Court House and other offices for the City and County of Aberdeen, and for providing and maintaining an additional Gaol for the said City and County and for other purposes relating thereto. 19th May, 1819.

6 George IV., c. lix. (Local.)

An Act for Building a Bridge over the River Don near the village of Balgownie or Polgownie in the Parish of Old Machar and County of Aebrdeen. 20th May, 1825.

6 George IV., c. lxv. (Local.)

An Act to alter and amend two Acts of the fifty-fourth and fifty-ninth years of his late Majesty for erecting and maintaining a new Court House, and other offices for the City and County of Aberdeen; and for providing an additional Gaol for the said City and County; and to provide a safe and convenient place for the custody and preservation of the Public Records of the said City and County, and for other purposes connected therewith. 20th May, 1825.

10 George IV., c. xxxiv. (Local.)

An Act for the Improvement of the Harbour of Aberdeen. 14th May, 1829.

10 George IV., c. xli. (Local.)

An Act for better Paving, Cleansing, Lighting, Watching, and Improving the Streets, Lanes and other public places and passages within the City of Aberdeen, and certain grounds adjacent, for regulating the Police thereof, and for supplying the Inhabitants with Water. 14th May, 1829.

2 and 3 William IV., c. LXV. (Public.)

An Act to amend the Representation of the People in Scotland. 17th July, 1832.*

6 and 7 Vict., c. lxxii. (Local.)

An Act for Improving and Maintaining the Harbour of Aberdeen. 12th July, 1843.

14 Vict., c. xxxviii. (Local.)

An Act for erecting and maintaining new Public Offices for the County of Aberdeen; for altering and enlarging the present Record Office of the County, and for other Purposes. 5th June, 1851.

25 and 26 Vict., c. cciii. (Local.)

An Act for paving, cleansing, lighting, watching, draining and improving the City of Aberdeen and adjacent Districts; for regulating the Police thereof; for supplying the Inhabitants with Water, and for other purposes. 7th August, 1862.

28 and 29 Vict. c. ccxl. (Local.)

An Act for more effectually maintaining and keeping in repair

* Town of Aberdeen to return one member.

the Roads, Highways, and Bridges, in the County of Aberdeen; for making New Roads in the said County; and for other purposes. 5th July, 1865.

29 and 30 Vict., c. civ. (Local.)

An Act for erecting and maintaining a new Court House, Town House, County and Town Hall, Police and other County and Municipal Buildings and Offices for the County and City of Aberdeen; and for other purposes. 28th June, 1866.

29 and 30 Vict., c. XCIII. (Public.)

An Act to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act 1862" relating to the Burgh of Aberdeen. 10th August, 1866.

30 Vict., c. li. (Local.)

An Act to amend "The Aberdeen Police and Waterworks Act 1862" and to authorise the Commissioners of Police to raise further sums of money for the purposes thereof. 31st May, 1867.

31 and 32 Vict., c. cxxxviii. (Local.)

An Act for improving and maintaining the Harbour of Aberdeen. 13th July, 1868.

31 and 32 Vict., c. 8. (Private.)

An Act to provide for the vesting and management of certain Funds held in trust by the Town Council of Aberdeen; and for other purposes. 31st July, 1868.

34 and 35 Vict., c. xcviii. (Local.)

An Act to confer further Powers on the Aberdeen Harbour Commissioners. 13th July, 1871.

34 and 35 Vict., c. cxli. (Local.)

An Act to extend the Municipal Boundaries of the City of Aberdeen; and for other purposes. 13th July, 1871.

42 and 43 Vict., c. lxxxviii. (Local.)

An Act to confer further Powers on the Aberdeen Harbour Commissioners. 3rd July, 1879.

44 and 45 Vict., c. lxxiii. (Local.)

An Act to confer further powers on the Lord Provost, Magistrates and Town Council of the Royal Burgh and City of Aberdeen, for municipal, police and other purposes. 27th June, 1881.

46 Vict., c. viii. (Local.)

An Act to continue and amend the Aberdeenshire Roads Act 1865; and for other purposes. 31st May, 1883.

46 and 47 Vict., c. lx. (Local.)

An Act to extend the municipal boundary of the city of Aberdeen; to authorise the Town Council to make new streets, execute certain street improvements, and construct a connecting railway to the Gasworks; and for other purposes. 29th June. 1883.

47 and 48 Vict., c. cviii. (Local.)

An Act to confirm a Provisional Order made under the Artisans' and Labourers' Dwellings Improvement (Scotland) Acts, 1875 and 1880, relating to the improvement of the Burgh of Aberdeen. 14th July, 1884.

48 and 49 Vict., c. XXIII. (Public.)

An Act for the Redistribution of Seats at Parliamentary Elections, and for other purposes. 25th June, 1885.*

48 and 49 Vict., c. cxxiii. (Local).

An Act to authorise the Lord Provost, Magistrates and Town Council of the Royal Burgh and City of Aberdeen to construct additional Waterworks; and for other purposes. 22nd July, 1885.

* Town of Aberdeen to return two members.

PART III.

MISCELLANEOUS WRITS.

MISCELLANEOUS WRITS.

I.

W ꝛ R pmissione diuina sā Andr᷒ ꝛ Glasgueñ Epī · Duncan᷒ Coñ de ffyf · Alex̃ Cumỹ Coñ de bucħn *q*sī ꝛ Iusī Scoc̃ Ioħes Cumỹ · ꝛ Jacobus señ Scoc̃ custodes Regni Scoc̃ de cōmuni *q*silio *q*stituti Oīmib᷒ ꝑbis hoīb᷒ eiusdē regni ad quos ꝑsentes ire puenerint · Salt · Sciatis q̄ constituim᷒ loco nr̄i · Religiosos viros Andreā · ꝛ hugonē · de Cupir ꝛ de Scoñ Abbates · Cristinū de Insula · Ioħem Ailbot ꝛ Ioħem filiū Ricardi burgeñ de Pī vel eoꝝ tes aut duos · apd Scoñ die Iouis ꝑx̄ post ascensionē dñi ꝑx̄ futuī ad audiendū ꝛ ꝑminandū iuste ꝛ scdm assisam ꝑre loqelam seu qerelam motā int᷒ burgeñ ꝛ communiā de Abirdeñ ex vna pte · et burgeñ et *q*muniā de Munros ex altera · Sup nūdinis villaꝝ de Abirden ꝛ Munros Scdm tenorē Cartaꝝ suaꝝ qas inde ħnt · Qare vob mandam᷒ ꝛ ꝑcipim᷒ qatin᷒ dcis Andr̄ ꝛ hugoni Abbatib᷒ · Cristino · Ioħi ꝛ Ioħi · bur-

I.

The guardians of the kingdom appoint a commission to settle a dispute anent fairs between the Burghs of Aberdeen and Montrose. 8th May, 1287.

William and Robert, by divine permission Bishops of St. Andrews and Glasgow; Duncan, Earl of Fife; Alexander Cumyn, Earl of Buchan, Constable and Justiciar of Scotland; John Cumyn and James, Steward of Scotland, Guardians of the kingdom of Scotland, appointed from the General Council, to all good men of the same kingdom to whom the present letters shall come, greeting. Know ye that we have appointed in our place the godly men Andrew and Hugh, Abbots of Cupar and Scone; Cristinus de Insula, John Ailbot, and John, son of Richard, burgesses of Perth, or three or two of them, [to meet] at Scone on Thursday next after the Ascension of our Lord next to come, to hear and terminate, according to justice and the assize of the land, the dispute or quarrel arisen between the burgesses and community of Aberdeen on the one part and the burgesses and community of Montrose on the other, touching the fairs of the towns of Aberdeen and Montrose, according to the tenor of their charters which they hold thereanent. Wherefore we command and order you to attend on and answer anent the premises the said Andrew and Hugh, Abbots, Cristinus, John and John, bur-

gensibus vel eorꝝ ībus aut duobꝫ · Taꝙª loco nr̄i *q*stitutis sitis in p̄missis intendentes ⁊ respondentes · In cuiꝰ rei Testimoniū has ł̄ras patentes sigillo regimini regni Scoc̄ deputato · fecimꝰ sigillari · dat̄ apud Edinburg̃ octauo die Maij Anno gr̃e mº ccº octog̃o septimo

II.

Viris ꝑuidis discretis custodibus regni Scoc̄ de cōi *q*silio constitutis ⁊ ceꝛ̄is magnatibus eiusdē consilii residentibus · ꝑpositi ac ceꝛ̄i burgenses cōmune de Banff Salm ⁊ debitam ad honoris obsequia reu̇enciam · Vob̄ grauiꝛ̄ conquerendo monstªmus qđ cū dn̄s Alex̄ qºndā rex scoc̄ inclite recordac̄onis qªsdam nūdinas in burgo de Aberdiñ tenendas ⁊ ł̄ndas ad utilitatē nr̄am et alioꝝ burgoꝝ ex aquilonari ꝑte monciū existenciū ꝑ cartam suam concessisset et imꝑpetuū confirmasset · que qⁱdē nūdine ꝑ burgenses de Munros inpediuntur ⁊ sing̃lis annis ꝑturbantur in nō modi-

gesses, or three or two of them, appointed in our place. In witness whereof we have caused these letters patent to be sealed with the seal of the regency of the kingdom of Scotland. Given at Edinburgh on the eighth day of May, in the year of grace one thousand two hundred and eighty-seven.

II.

The provost and burgesses of Banff entreat the guardians of the kingdom to cause King Alexander's Charter to the Burgh of Aberdeen to be duly observed. 1289.

To the wise and prudent men, Guardians of the kingdom of Scotland, appointed from the General Council, and to the remanent resident Magnates of the same Council, the provosts and remanent burgesses of the community of Banff, greeting and reverence due to a position of honour. We, sorely complaining, do point out to you that whereas our Lord, Alexander, umquhile King of Scotland, of renowned memory, did by his charter* grant and for ever confirm certain fairs to be held and had in the burgh of Aberdeen for the benefit of us and of other burghs lying to the north of the mountains; which fairs are obstructed and every year disturbed by the burgesses of Montrose, to the no small prejudice and injury of the foresaid burgh of Aberdeen, and indeed of the

* No. IV., p. 8.

cū ꝑiudiciū ⁊ ğuañ ꝑfati burgi de Abdiñ immo tocius pūncie ex aquilonari pte · Q[a]re vĩe discretōi reūende humilit̃ Supplicam[9] attencius petentes q[a]tinus tenorē carte supius nominate dc̃o burgo de Abdiñ concesse p̃p̃ utilitatē pupplicam ac necessitatē dc̃oꝝ burgensiū de Abdiñ illesū si placet sc̃dm lib̃tates infra cartam suam contentas obs̃uari faciatis · Ita ne occasione inquietac̃onis seu pturbac̃onis dc̃oꝝ burgenciū de Munros ult̃ius dampnū seu iactura nob̃ inferatur n' inde mat̃ia conquerendi p defc̃u iusticie nob̃ tribuat[r] · In cui[9] rei testimoniū sigillū nr̃m cōmune hiis ẗris patentibus est appensū Dat̃ ap̃d Banff do[n]ca p̃x ante carnip[r]uū Anno dñi · m° · cc° · octog̃ · nono

III.

R · & supior dn̄s regni Scot' dil̃to & fideli suo Ioh̃i de Gildeford custodi castroꝝ de Aberden & Kyncarden salt̃m Cum Ioh̃es de Balliolo nup in pliamento nr̃o apud Berewik sup Twedam venisset coram nob̃ & petivisset ꝑdtm regnū Scotie sibi p nos adjudicari et seisinam ip̃ius regni

whole northern province: Wherefore, we humbly petition your esteemed discretion, earnestly entreating you to cause the tenor of the above-mentioned charter, granted to the said burgh of Aberdeen for the public benefit and the need of the said burgesses of Aberdeen, to be observed unimpaired, if so it seem good, according to the privileges contained in their charter: so that no further loss or detriment may be inflicted upon us by reason of agitation or disturbance caused by the said burgesses of Montrose, and no matter of complaint be brought up against us on the plea of injustice. In witness whereof our common seal is appended to these letters patent. Given at Banff on the Sunday next before Lent, in the year of our Lord one thousand two hundred and eighty-nine.

III.

King Edward I. orders sasine of the Castles of Aberdeen and Kincardine to be given to John of Balliol. 18th November [1292].

The King and governor of the kingdom of Scotland to his beloved and trusty John of Gildeford, keeper of the castles of Aberdeen and Kincardine, greeting. Whereas John of Balliol recently appeared before us in our parliament at Berwick-on-Tweed, and craved that the foresaid kingdom of Scotland be adjudged to him by us, and that sasine thereof be given, by right of succession,

sⁱ ut ꝑximiori heredi Margar' fiŧ reg' Norwag' ðne Scoŧ & neꝑtis quondam Aleꝛi ultimi reg' Scot' jure successionis liberari Ac nos auditis & intellectis petitionibꝫ & rõnibꝫ tam ꝑðti Ioħis de Balliolo qª alioꝝ petentium ꝑðtm regnū & eisdem petitionibꝫ & rõnibꝫ diligenꝰ examinatis invenimꝰ ꝑfatum Ioħem de Balliolo esse ꝑpinquiorem heredem ꝑðte Margar' quod ꝑðtm regnū Scot' optinend' ꝑpꝰ quod idē regnū Scot' & seisinam ejusdem eidem Ioħi de Balliolo salvo jure nr̃o & heredum nr̃oꝝ reddidimꝰ Voƀ mandamꝰ q̃d seisinam ꝑðtoꝝ castroꝝ de Aberden and Kyncardyn cum oīmibus ꝑtin' una cū oīmibus aliis rebꝫ voƀ ꝑ cyrogªfum tªditis & sc̃ðm q̃d in ꝑðtoꝝ castroꝝ voƀ coīmissa custodia res hujꝰ modi recepistis sine diłone ꝑðto Ioħi de Balliolo vł attornatis suis has łras deferentibꝫ deliberari fac' In cujꝰ &c · apud Berewik sup Twedam xviijº die Nov'

IV.

Anno Dñi, Indictõe, et loco proximo prenotatis, mensis Julij die decimo septimo, presentibꝫ nobilibus viris dñis, Waltero de Bello

to him as next heir of Margaret, daughter of the King of Norway, Queen of Scotland, and granddaughter of umquhile Alexander, last King of Scotland; and whereas, having heard and understood the petitions and pleas both of the foresaid John of Balliol and of other claimants of the foresaid kingdom, and having diligently examined the foresaid petitions and pleas, we have found the foresaid John of Balliol to be the next heir of the foresaid Margaret with regard to the succession to the foresaid kingdom of Scotland; wherefore we have delivered the same kingdom of Scotland and sasine thereof to the same John of Balliol, saving the rights of ourselves and our heirs: We command you to give, without delay, to the foresaid John of Balliol, or his attorneys bearing his letters, sasine of the foresaid castles of Aberdeen and Kincardine, with all pertinents, together with all other things entrusted to you by our signature, and according to your instructions in the custody of the foresaid castles. In witness, &c. At Berwick-on-Tweed, the eighteenth day of November.

IV.

The burgesses and community of Aberdeen do homage to King Edward I. 17th July, 1296.

The year of our Lord, indiction, and place [Aberdeen] aforesaid, on the 17th day of the month of July, in presence of the noble men, Walter de Bello

Campo, et Johanne Tregotz, militib3, dñis Johanne de Drokenesford, et Johanne de Benestede, Willo de Meltoñ, Robo de Cotingh^{a}m, Johanne de Wyntonia, et Galfrido de Stokes, clicis, testib3 uocatis et rogatis, cum aliis q^{a}mplurib3, et me Noī subscripto, Nobiles, viri, dñi Duncanus de Ferndragh, Patricius de Berkelye, Hugo de la Haye, Reginaldus le Cheen, Johannes Herberti de Makeswelle, Johes dñs de Makeswelle, et Wills de Mohaut, milites, dñs Heruius de Crambath decanus Dunkeldeñ, Johes filius Randulphi de Petscotyn, Robs de Walghop, Robs le Fauconer, Wills de Inays, et Burgenses et cōmunitas ciuitatis Abirdoñ, non ui nec metu coacti ut dicebant, s3 spontanei ad fidem et uoluntatem dñi Regis Angl memorati venientes, confederacōnes, contract^{9}, cōuencōnes et pactą quocūq, nomīe censeant^{r}, si que vnq^{a}m suo nomīe cū Rege F^{a}ncoꝛ q^{a} dcm dñm regem Angl inite extitissēt, q^{a}tenus in eis fuit, et ipos contingebant, penit^{9} anullarūt, et eisdem, vi, forme, et effectui eaꝛdem, cū omi cōmodo quod exinde sibi uel suis potit prouenire quomodolib3 in futm, sponte, pure, et absolute expresse renunciarūt organo uiue uocis, et tactis sacrosc̄is et osculatis Dei Eu^{a}ngeliis in subscripta forma fidelitatem fecerūt dño Regi Angl

Campo and John Tregotz, knights; John of Drokenesford and John of Benestede, William of Melton, Robert of Cotingham, John of Wynton and Galfrid of Stokes, clerks, witnesses, called and summoned, with many others; and of me, notary, subscribing: the noble men Duncan of Frendraught, Patrick of Berkeley, Hugh of the Hay, Reginald le Chen, John, son of Hubert of Maxwell, John, Lord of Maxwell, and William of Mowat, knights; Hervy of Crambath, dean of Dunkeld, John, son of Randulph of Pitscottie, Robert of Wauchop, Robert Falconer, William of Innes, and the burgesses and community of the city of Aberdeen, not driven by force or fear, as they said, but of their own accord coming in trust and goodwill to the said King of England, did altogether renounce, so far as in them lay, the alliances, contracts, conventions and compacts, by whatever name called, that at any time were in force in their name with the King of France against the said King of England; and, by word of mouth, did freely, simply and wholly abjure the same in force, form, and effect, with every advantage that could in any way accrue therefrom to them and theirs in future; and, having touched and kissed the holy Gospels of God, did, in form underwritten, do homage to the said King of England, and, anent the homage thus made, did execute their

memorato, et super fidelitate sua sic facta, suas patentes fecerunt litteras sepatas, suis sigillis pendentibꝫ consignatas, tenores qui secuntur continentes. . . . Item · A touz ceaus qui cestes lettres verront ou orront, les Burgoys é la Cōmunaute de la vile de Abredeñ, saluz · Pur ceo qe nous sumes venuz á la foi é á la uolunte du tresnoble Prince nr̃e chier Seigneur Edward par la grace Dieu Roi Dengleṫre, Seigneur Dirland, é Ducs Daquitaigne, nous promettoms pur nous, é pur nos heirs, sur peine de cors é dauoir, é sur qªnt qe nous peussoms encoure, qe nous li seruiroms, bien é leaument contre totes gentz qui purront viure é morir, totes les foiz qe nous serroms requis ou garniz de par nr̃e Seigneur le Roi Dengleṫre auantdit, ou par ses heirs, é qe nous leur damage ne sauroms, qe nous nel destorbeoms á tot nr̃e poer, é le leur faceoms á sauoir · É á cestes choses tenir é garder, nous obligeoms nous é nos heirs, é touz nos biens, é outre ceo auoms jurez sur seintes Euªngeiles · En tesmoignance de queu chose, nous auoms fait faire cestes lettres ouertes sealéés de nr̃e cōmun seal · Donéés a Abirdeñ le disesecime Jour de Juyl Lan de Regne nr̃e Seigneur le Roi Dengleṫre vintisme quart

separate letters patent, confirmed by their seals attached, of the tenor as follows: . . . To all who shall see or hear these letters the burgesses and community of the town of Aberdeen, greeting. Whereas we have come in trust and goodwill to the most noble prince and our dear Lord Edward, by the grace of God King of England, Lord of Ireland and Duke of Aquitaine, we promise, on our own part and on that of our heirs, under pain of person and property, and of whatsoever else we possess, that we will serve him well and loyally against all people that can live and die, whensoever we may be called on or summoned by our Lord aforesaid, the King of England, or by his heirs, and that we shall know no hurt to them, that we will defend them with all our power; and this we will give them to know. And to hold and keep these conditions we bind ourselves and our heirs, and all our goods, and further we have sworn on the Holy Gospels. In witness whereof we have caused these letters patent to be sealed with our common seal. Given at Aberdeen, the sixteenth day of July, the twenty-fourth year of the reign of our Lord, the King of England.

V.

R dilto sibi Willo le Betour salt̃m Quia p expeditõe guerre nr̃e Scot' auxilio tam marinarioꝝ q[a] alioꝝ plurimum indigemus nos de diligentia & fidelitate vr̃a sp̃alit̃ confidentes constituim⁹ vos capitaneū nr̃m marinatioꝝ naviū de Hertelpol de Novo Castro sup Tynam de Berewico sup Twedam ac alioꝝ locoꝝ int̃ Hertelpol & Aberden in subsidiū obsidionis castri nr̃i de Aberdene amovende et ad alia que ad expeditõem nr̃am cont[a] Scotos inimicos & rebelles nr̃os in ptibꝫ illis atingūt virilit̃ faciend' put dilt̃us et fidelis nr̃ Gilb̃s Petche & . . . camar' nr̃ Scot' vob̃ ex pte nr̃a plenius injungēt Et ideo vob̃ mandam⁹ q̃d ad hoc om̄ibꝫ aliis p̃t̃missis modis oībꝫ intendatis Mandam⁹ autē oībꝫ et singl̃is mag̃ris naviū & marinar' p̃dt̃is q̃d ad p̃ficiscend' vobiscū una cū navibꝫ suis & hoībus armis competentibꝫ bene munitis ad p̃missa potent̃ & virilit̃ faciend' put & quotiens ip̃os marinar' p̃muniend' dux⁹itis ex pte nr̃a vob̃ pcant & intendant In cuj⁹ &c · apud Wyndes' x die Jul'

V.

King Edward I. appoints William le Betour Captain of the Navy to assist in raising the Siege of the Castle of Aberdeen. 10*th July* [1308].

The King to his beloved William le Betour, greeting. Whereas we are much in need, for our invasion of Scotland, both of sailors and of others, specially trusting in your diligence and faithfulness, we have appointed you captain of our navy at Hartlepool, at Newcastle on Tyne, at Berwick on Tweed, and at other places between Hartlepool and Aberdeen, to assist in raising the siege of our castle of Aberdeen, and to take strong measures in all matters affecting in these parts our expedition against our hostile and rebellious Scots; as our beloved and trusty Gilbert Petche and . . . our chamberlain of Scotland will more fully direct you on our behalf. And, therefore, we command you to attend to this in every respect, to the postponement of all other concerns. Moreover, we command all and sundry shipmasters and sailors to obey and assist you on our behalf by accompanying you with their ships and men, properly armed, to carry out the premises effectively and valiantly, and as often as you lead the said sailors for our defence. In witness, &c. At Windsor, the tenth day of July.

VI.

Compotum Nicholai de Lidell et Willelmi Chepman, prepositorum burgi de Abirden, redditum die, loco et anno supradictis, et de terminis predictis. Iidem onerant se de ccxiij ℔. vj ſ. viij ₫. per firmas dicti burgi de duobus terminis predictis. Summa recepte patet. De qua computant in liberacione facta camerario, per vnam robam, de mandato suo liberatam Dauidi de Marre, nuncio domini regis, xiij ſ. iiij ₫. Et eidem camerario, confitenti receptum super compotum, cxv ℔. et vj ₫., de quibus camerarius respondebit. Et Fratribus Predicatoribus de Abirden, ex elemosina regis annua, de eisdem terminis, xvij ℔. vj ſ. viij ₫. Et Episcopo Orcadensi, cxviij ſ. et iiij ₫. Et episcopo Abirdo-

VI.

The provosts of Aberdeen render account of the burgh fermes.
14th January, $132\frac{7}{8}$.

The account of Nicholas of Lidell and William Chepman, provosts * of the burgh of Aberdeen, rendered day, place [Dumbarton] and year as above, and for the same terms :—

	Lib.	s.	d.
The aforesaid charge themselves with the fermes of the said burgh at the two terms aforesaid ...	213	6	8
Amount of the charge, ...	213	6	8

For which they account in the discharge made to the Chamberlain :—

	Lib.	s.	d.
To a robe made by his order for David of Marr, nuncio of our Lord the King, ...	0	13	4
To the same Chamberlain, acknowledging receipt on the account, for which the Chamberlain will be answerable, ...	115	0	6
To the Friars Preachers of Aberdeen, of the King's yearly alms, for the same terms, ...	17	6	8
To the Bishop of Orkney, ...	5	18	4

* See p. 2, *note*.

nensi, pro secundis decimis suis ad terminum vite sue tantum, xxj ℔. vj ſ. viij ₫. Et Fratribus de Monte Carmeli, ad fabricam ecclesie sue, de mandato regis, per literam suam de precepto, vj ℔. xiij ſ. iiij ₫. Et ecclesie sancti Gilberti de Durnach, ac ministris eius, percipientibus per annum vnam celdram frumenti et vnum doleum vini, pro confeccione corporis Christi, ex elemosina regis, per tempus compoti, lxvj ſ. viij ₫. Et Ricardo filio Radulphi, pro feodo suo annuo, x ℔. Et Symoni de Grenlaw, ex elemosina regis, ad voluntatem suam, per tempus compoti, x ſ. Et Nigello de Squecia percipienti per annum de firmis dicti burgi pro toto tempore vite sue viginti marcas sterlingorum, quousque de viginti marcatis terre sibi fuerit prouisum, per tempus compoti, xiij ℔. vj ſ. viij ₫. Et per allocacionem factam burgensibus de Abirden de viginti marcis quolibet anno decem annorum proxime futurorum,

	Lib.	s.	d.
To the Bishop of Aberdeen for his second teinds, to the end of his life only, ...	21	6	8
To the Carmelite Friars for the fabric of their church, by the King's command by his precept, ...	6	13	4
To the Church of St. Gilbert of Durnach and its ministers receiving annually a chalder of corn and a cask of wine for the feast of Corpus Christi, from the King's alms, for the period of the account, ...	3	6	8
To Richard, son of Radulph, for his yearly feu, ...	10	0	0
To Simon of Greenlaw, from the King's alms, at his will, for the period of the account, ...	0	10	0
To Neil of Squecia, receiving annually from the fermes of the said burgh for the whole period of his life twenty merks sterling, for which land of twenty merks was allotted to him, for the period of the account, ...	13	6	8
To annual allowance of twenty merks made to the burgesses of Aberdeen on account of the burning of the said burgh, for the ten years next to come, of which one and a-half are past, for the two terms of this account, ...	13	6	8

de quibus vnus cum dimidio est elapsus, racione combustionum dicti burgi, de duobus terminis huius compoti, xiij ℔. vj ß. viij ₰. Et in donacione facta per regem Dauidi de Marre, nuncio domini Regis, pro seruicio suo dum stetit in seruicio domine regine, per literam domini regis de precepto et ipsius de recepto, ostensas super compotum, xl ß. Et duobus Fratribus de Monte Carmeli, ex dono regis, xl ß. Summa expense, ccxj ℔. iij ß. x ₰. Et sic debent xlij ß. et x ₰., quos soluerunt camerario super scaccarium, de quibus respondebit. Et sic eque.

VII.

Compotum Nicholai Lidell et Symonis Gelchauch, collectorum noue custume burgi de Abirden, redditum apud Dunbretan xiiij die Januarii,

	Lib.	s.	d.
To a gift made by the King to David of Marr, nuncio of our lord the King, for his service while he was in the service of the Queen, per the King's precept and his own receipt shewn on the account, ...	2	0	0
To two Carmelite Friars, by gift of the King, ...	2	0	0
Amount of the discharge, ...	211	3	10*
Balance paid to the Chamberlain in the Exchequer, for which he will be answerable, ...	2	2	10
Equal to the charge, ...	213	6	8

VII.

The custumars of Aberdeen render account of the burgh customs, 14th January, 1327/8.

The account of Nicholas Lidell and Simon Gelchauch, collectors of the new custom of the burgh of Aberdeen, rendered at Dumbarton on the fourteenth

* A minute scrutiny of the accounts as we now have them will bring to light a good many errors of summation which have been overlooked in the audit, a fact which need not surprise us, if we consider how difficult and cumbersome the most ordinary calculations were before the introduction of the Arabic numerals."—*The Exchequer Rolls of Scotland*, Vol. I., 1878, p. xxxix.

anno gracie millesimo trescentesimo vicesimo septimo, de receptis et expensis eiusdem custume, a tercio die Februarii, anni gracie, etc., xxvi. vsque in septimum diem Januarii proxime preteriti. Iidem onerant se de cccxlix li. x s. iiij d., receptis per custumam octingentorum quadraginta quatuor saccorum dimidii sacci et duarum peciarum lane, sex millium quingentarum triginta nouem pellium lanutarum quinque lastarum dimidie laste vnius dacre dimidie dacre coriorum et duorum coriorum, carcatorum et custumatorum in viginti quatuor nauibus et batellis per totum tempus compoti. Summa recepte patet. De qua allocantur computantibus, per superexpensas suas in compoto suo precedenti lij li. xvij s. vij d. Et in liberacione facta camerario, confitenti receptum super compotum, ccxxxij li. xvj s. vd. et q̃., de quibus respondebit. Et Johanni de Dunfermline, clerico liberacionis domus domini nostri regis, per literam suam de recepto, per duas libras

day of January, in the year of grace one thousand three hundred and twenty-seven, of the receipt and expenditure of the said custom from the third of February, in the year of grace, etc., and twenty-six, to the seventh day of January last:

	Lib.	s.	d.
The aforesaid charge themselves with the custom on $844\frac{1}{2}$ bags and 2 pieces of wool, 6539 hides of wool, $5\frac{1}{2}$ lasts, $1\frac{1}{2}$ dacres, and 2 skins laden and taxed in 24 ships and boats for the whole period of the account, ...	349	10	4
Amount of the charge, ...	349	10	4

For which are credited to the counters:	Lib.	s.	d.
To balance from last account, ...	52	17	7
To the chamberlain, per discharge, acknowledging receipt on the account, for which he will be answerable, ...	232	16	$5\frac{1}{4}$
To John of Dunfermline, clerk of the household, discharge of our Lord the King, per his letter of receipt, for two pounds of saffron, four pounds of , eight pounds of cinnamon, one hundred pounds of almonds, one hundred pounds of rice, forty pounds of ginger, forty pounds of pepper, and one hundred ells of linen cloth, for which the said John will be answerable, ...	9	8	10

croci, quatuor libras . . . octo libras canelle, centum libras amygdallarum, centum libras de risis, quadraginta libras gingiberis, quadraginta libras piperis, et centum vlnas tele linee, de quibus idem Johannes respondebit, ix ℔. viij ʃ. x ₰. Et pro dimidia pecia panni, liberata domino Waltero de Lacy, ex mandato regis, xxxvj ʃ. et viij ₰. Et pro quarta parte pecie panni, liberata in gardrobam regis, testante litera regis, ostensa super compotum, de qua clericus gardrobe respondebit, xvij ʃ. ij d. Et domino Thome Dere, abbati de Kynlos, percipienti per annum pro tempore vite sue viginti marcas, ex concessione regis, per literam regis de precepto, et ipsius de recepto, xiij ℔. vj ʃ. viij ₰. Et Rogero de Irwyn, ex dono regis, x ℔. Et per remissionem factam domino Alexandro Fraser de custuma viginti saccorum lane, vj ℔. xiij s. iiijd. Et pro collecta dicte custume, viij ℔. xiiij ʃ. ix ₰. Summa expense, cccxxxvj ℔. xj ʃ. v₰. et q̃. Et sic debent xij ℔. xviij ʃ. x ₰. o℔ et q̃. De quibus conceduntur, de dono regis, Rogero de Irwyn, clerico lxvj ʃ. viij ₰. Et in liberacione facta camerario, confitenti receptum super compotum lviij ʃ. x ₰. o℔. et q̃., de quibus respondebit.

	Lib.	s.	d.
To half a piece of cloth given to Walter de Lacy, by the King's command, ...	1	16	8
To a quarter piece of cloth given to the King's wardrobe, per the King's letter shewn on the account, for which the clerk of the wardrobe will be answerable, ...	0	17	2
To Thomas Dere, abbot of Kinloss, receiving yearly during his lifetime twenty merks, by grant from the King, per the King's precept, and his own receipt, ...	13	6	8
To Roger of Irvine, by gift from the King, ...	10	0	0
To remission made to Alexander Fraser of the custom on twenty bags of wool, ...	6	13	4
To the collection of the said custom, ...	8	13	9
Amount of the discharge, ...	336	11	5¼

Balance due, distributed as follows:	Lib.	s.	d.
To Roger of Irvine, clerk, by gift of the King, ...	3	6	8
To the chamberlain, per discharge, acknowledging receipt on the account, for which he will be answerable, ...	2	18	10¼

Summa huius expense, vj ℔. v ſ. vj d. ob. et q̃. Et sic debent vj ℔. xiij ſ. iiij d., de quibus computantes exonerantur de mandato regis, et qui leuandi sunt de terra Rogeri de Irwyn, ad festum Pentecostes proxime futurum, per vicecomitatem de Forfar. Et sic eque quoad computantes.

VIII.

Noūint vniūsi p p̃ntes q̃ nos Alexander Gylyot Adam Tore ⁊ Johnes Goldsmyth de Edynburgh Johnes M^{r}cer Johnes Gill ⁊ Robtus de [Gatmilke] de Perth Laurencius de Garuok Willm̃s de Leth et Johnes Crab de Abdeñ Mag̃r Johnes de Somūyll ⁊ Robtus Kyd de Dunde Rog̃us Phipill ⁊ Thomas fil Johis de Inūkethyn Ricardus Hendchyld ⁊ Ricardus Skroger de Carale Nichs Rector Scolar̃ et Dauid Comyn de Cup Laurenci^{9} Bell ⁊ Adam de Kirkyntolach Sc̃i Andre Ricardus de Cadȝoch ⁊ Johnes Clic^{9} de Monros Johnes de Burgo ⁊ Wills

	Lib.	s.	d.	Lib.	s.	d.
Balance due, for which the counters are discharged by command of the King, and which shall be uplifted from the land of Roger of Irvine, next Pentecost, by the sheriff of Forfar, ...	6	13	4			
				12	18	10¼
Equal to the charge, ...				349	10	4

VIII.

The Burghs of Scotland appoint representative burgesses of Edinburgh, Perth, Aberdeen and Dundee as procurators to negotiate for the ransom of King David II. 26th September, 1357.

Know all men by these presents that we, Alexander Gylyot, Adam Tore and John Goldsmith, of Edinburgh; John Mercer, John Gill and Robert of Gatmilk, of Perth; Laurence of Garvok, William of Leth and John Crab, of Aberdeen; Master John of Somerville and Robert Kyd, of Dundee; Roger Phipille and Thomas Johnson, of Inverkeithing; Richard Hendchild and Richard Scroger, of Crail; Nicholas, Rector of the Schools, and David Comyn, of Cupar; Laurence Bell and Adam of Kirkintilloch, of St. Andrews; Richard of Cadyoch and John Clerk, of Montrose; John de Burgo and William Sauser,

Sauser de Stʳuelyn Joħnes fil Joħis ⁊ Wiłłs de Saltounª de Linlithgow Adam de Haddyngtonª ⁊ Adam de Congletonª de Haddyngtonª Symon Potꝫ ⁊ Petrus Waghorn de Dunbretane Patʳcius Clicꝫ ⁊ Patʳcius Ređ de Rothirglen Andr̃as Ade ⁊ Andr̃as de Ponfret de Lanark Willm̃s de Duncoll ⁊ Thomas Lang de Drūfres Nicħs filius Joħis ⁊ Joħnes fil Wiłłi de Peblis Aldirmañi Mꝰcatores ⁊ Burgens̄ deliƀac̃om Dñi nr̃i Regis Dauid a carc̃e Dñi Edwardi Regis Angł illustris plurimū affectantes de consensu ⁊ uoluntate c̃ium c̃itatū dc̃oꝝ burgoꝝ ⁊ ꝑciū adiacenciū eisđm facimꝰ constituimꝰ ⁊ ordinamꝰ ꝑ p̃ntes nr̃os ⁊ c̃ium burgensiū ac m̃catoꝝ dc̃i Regni Scoc̃ ueros ꝑcuratores negocioꝝ gestores ⁊ nuncios spales Alex̃m Gylyot Adam Tore Joħem Goldsmyth Joħem Mꝰcer Joħem Gill Roƀtu de Gatmilk Laurenciū de Garuok Wiłł de Leth Joħem Crab Magr̃m Joħem de Som̃uill ⁊ Roƀtum Kyd de Edynburgh Pth Abirden ⁊ de Dunde burgenses · Dantes eisđm ⁊ eoꝝ sex aut quatuor plenam ⁊ liƀam potestatem ac mandatū sp̃ale ad finałr concordandū cū consilio p̃fati Dñi Regis Angł sup liƀac̃one Dñi nr̃i Regis Dauid supªdc̃i et ad admᵗtendū fʳmandū atq; approbandū noĩe nr̃o ⁊ c̃ium burgensiū ac m̃catoꝝ tocius

of Stirling; John Johnson and William of Salton, of Linlithgow; Adam of Haddington and Adam of Congilton, of Haddington; Simon Potter and Peter Waghorn, of Dumbarton; Patrick Clerk and Patrick Reder, of Rutherglen; Andrew Ade and Andrew of Ponfret, of Lanark; William of Duncoll and Thomas Lang, of Dumfries; Nicholas Johnson and John Williamson, of Peebles; aldermen, merchants and burgesses, earnestly desiring the liberation of our Lord King David from the prison of the Lord Edward, the illustrious King of England, by the consent and will of all the communities of the said burghs and parts adjacent thereto, do make, appoint and ordain by these presents as true procurators, agents and special messengers for us and for all the burgesses and merchants of the said kingdom of Scotland—Alexander Gylyot, Adam Tore, John Goldsmith, John Mercer, John Gill, Robert of Gatmilk, Laurence of Garvok, William of Leth, John Crab, Master John of Somerville and Robert Kyd, burgesses of Edinburgh, Perth, Aberdeen and Dundee: Giving to them, and to six or four of them, full and free power and special mandate to come to a final agreement with the Council of the foresaid Lord the King of England for the liberation of our Lord King David above named; and to admit, confirm and approve, in name of us and of all the burgesses and merchants of the whole kingdom of Scotland, all and sundry

Regni Scoc̃ om̃es ⁊ singłos tractatus et concordias fc̃os hitos seu faciendos int̄ dc̃m consiliū Dñi Reg̃ Angł ac Prelatos ⁊ alios nobles regni Scoc̃ ⁊ quoslibꝫ ⁊ pūctus in eisdm contentos q⁹ libacōm dc̃i Dñi nr̃i Reg̃ Dauid tangunt seu tange̅ pot̄unt quouismodo · Et ad confitendū ⁊ recognoscendū nos ⁊ om̃es alios burgenses ⁊ m̄catores dc̃i Reg̃ Scoc̃ hedes ⁊ successores nr̃os ⁊ quēlibꝫ nr̃m ⁊ eo⁊ p̄ncipałr ⁊ in solidū obligari ⁊ teneri p̄fato Dño Regi Angł hedibꝫ ⁊ successoribꝫ suis occasione redempc̃ois p̄fati Dñi nr̃i Reg̃ Scoc̃ in Centū Milibꝫ M⁹rca⁊ st̄lingo⁊ soluendis eidm Dño Regi Angł uł suis p̄curatoribꝫ in locis ⁊ t̄minis in dc̃is tractatibꝫ ⁊ concordiis statutis seu statuendis Et vl̄ius ad faciendū noīe nr̃o ⁊ cui⁹libꝫ nr̃m ac cōitatū alio⁊ burgensiū ⁊ m̄cato⁊ dc̃i reg̃ Scoc̃ pacc̃ones obligac̃ones securitates p̄missiones lr̃as ⁊ iuramenta quascūq; ⁊ quecūq; que ad f⁹mitatē ⁊ approbac̃oem p̄misso⁊ fu̅int quomodolibꝫ faciend Et ad obligandū ⁊ subm⁹tendū nos ⁊ quēlibꝫ nr̃m in solidū ac oīa bona nr̃a ⁊ singła ⁊ cui⁹libꝫ nr̃m ac ce⁊o⁊ burgensiū ⁊ m̄cato⁊ dc̃i Regni Scoc̃ mobilia ⁊ immobilia p̄ncia ⁊ futura vbicūq; constituta fu̅int ⁊ inuenta compulsioni ⁊ coherc̃oi

treaties and agreements made, held, or to be made between the said Council of the Lord the King of England, and the prelates and other nobles of the kingdom of Scotland, and also any points whatsoever contained therein that touch or can in any way touch the liberation of our said Lord King David; and to own and acknowledge us and all the other burgesses and merchants of the said kingdom of Scotland, our heirs and successors, and anyone whatsoever of us and of them, as debtors principal and *in solidum*, to be bound and held to the foresaid Lord the King of England, his heirs and successors, for the redemption of the foresaid our Lord the King of Scotland, in one hundred thousand merks sterling, to be paid to the said Lord the King of England, or to his procurators, at the places and times appointed or to be appointed in the said treaties and agreements; and further to make, in name of us and any one of us and of the other communities of burgesses and merchants of the said kingdom of Scotland, any contracts, obligations, securities, undertakings, writs and oaths whatsoever, which may in any way be made for the confirmation and approval of the premises; and to oblige and submit us and each of us *in solidum*, and all and sundry the goods of us and of each of us and of the remanent burgesses and merchants of the said kingdom of Scotland, movable and immovable, present and to come, wheresoever they shall be

quaꝝcūq; curiaꝝ eccl̃iasticaꝝ uł secularīū illoꝝ locoꝝ in quib; dc̃a bona constituta fuint ⁊ inuenta ⁊ eaꝝ Judicū ⁊ mīstroꝝ ⁊ cui⁹lib; ip̃aꝝ quousq; de totali Sūma Centū Miliū M[a]caꝝ ⁊ cui⁹lib; eius ꝑtis ac de om̄ib; aliis capit̃lis in dc̃is tractatib; ⁊ concordiis conten̄ una cū dampnis exp̃ns ⁊ int⁹esse si que uł quas ip̃m Dn̄m Regem Angł in exigendo prosequendo aut recuperando dc̃am sūmam pecunie ac ꝑpt⁹ retardac̃om soluc̃ois eiusd̄m uł alicui⁹ eius ꝑtis qd̄ absit incurrere seu sustinere in iudicio uł ex[a] contig⁹it quouismodo p̄fato Dño Regi Angł uł eius in hac ꝑte ꝓcuratorib; spał deputatis fuit plenarie ⁊ integre satisfc̃m Et ad p̄standū in aĩas nr̃as et cui⁹lib; nr̃m ac suas quodcuq; gen⁹ liciti sac[a]menti qd̄ a nob in hac ꝑte exigi pot⁹it seu requiri Et ad renunciandū noĩe nr̃o ⁊ cui⁹lib; nr̃m om̄ib; ⁊ singulis iurib; remediis auxiliis ⁊ cautelis tā iuris Canōici q[a] Ciuilis ⁊ om̄ib; ł̃is ap̃licis ipetratis seu ip̃etrandis ꝑ que uł quas cont[a] p̄dc̃a nos defende possem⁹ quom̃odolib; uł tueri necnō ⁊ om̄ia alia ⁊ singła faciendū ⁊ expediendū q̃ in p̄missis ⁊ c[r]ca p̄missa necc̃ia fuint ⁊ optima q[a]ntūcūq; mandatū exigant sp̃ale Insup ad cautelam ⁊ maioris roboris f[r]mitatē oĩm p̄missoꝝ

situated and found, to the compulsion and constraint of any courts, church or civil, of those places in which the said goods may be situated and found, and of their judges and officers, and of any of them, until full and entire satisfaction shall have been made to the foresaid Lord the King of England, or to his procurators specially deputed in this matter, for the whole sum of one hundred thousand merks and of any part of it, and for all other heads contained in the said treaties and agreements, together with loss, outlay and interest, if it shall in any way happen that the said Lord the King of England incur or sustain such, whether in judgment or outwith, in exacting, prosecuting or recovering the said sum of money, and on account of delay in paying the same or any part thereof (may such not happen); and to make on the souls of us and of each of us and them any kind of lawful oath that can be exacted or required from us in this matter; and to renounce, in the name of us and each of us, all and sundry rights, remedies, helps and cautions of both the canon and the civil law, and all letters apostolic, obtained or to be obtained, by which we could in any way defend or protect ourselves against the foresaid; likewise to do and complete all and sundry other things which in the premises and about the premises shall be needful and proper, even if they require special mandate. Moreover, for the security and stronger con-

iurauim⁹ ⁊ qⁱlib⁊ nr̃m iuravit ad Sc̃a Dei euanĝlia ꝑ nos corpaĺr tacta iuram⁹ ⁊ qⁱlib⁊ nr̃m ꝑsponte iurat q̃ ōia ⁊ singła liḃac̃oem dc̃i Dñi nr̃i Regis Scoc̃ quaĺrc̃iq̃ conc̃nencia que ꝑ conciliū dc̃i Dñi Reĝ Angł ⁊ ꝑfatos P⁹latos ⁊ Nobles dc̃i Regni Scoc̃ ac ꝑcuratores nr̃os supₐdc̃os uł coꝝ sex aut quatuor tractata ordinata concordata submissa iurata renunciata ⁊ facta fuint in ꝑmissis ⁊ in quolib⁊ ꝑmissoꝝ rata gᵃta ħcbim⁹ atq̃ fᵐma ⁊ eis in om̃ib⁊ adqⁱescem⁹ ⁊ contᵃ in aliquo nō faciem⁹ nᶜ ueniem⁹ de iure uł de fc̃o tacite uł exꝑsse s⁊ iꝑa exnūc ꝑut extunc ratificam⁹ ⁊ approbam⁹ ꝑ ꝑntes In quoꝝ oīm testiōm sigilla cōia dc̃oꝝ burgoꝝ ⁊ cōitatū eoꝝdm ꝑntib⁊ sunt appensa Apud Edynburgh xxvjᵗᵒ die Mens̄ Septembr̃ Anno Dñi Mº cccᵐᵒ Lº Septimo.

IX.

Vniu̅sis [præsentes] łres [seu præsens Pu]blicum Instr̃on inspectur̃ ⁊ auditur̃ Alexander Gyllyot Adam Tore Johannes Goldsmyth de

firmation of all the premises, we all and each have sworn, and all and each of our own accord do swear on the holy Gospels of God actually touched by us, that all and sundry matters in any way concerning the liberation of our said Lord the King of Scotland, which shall have been stipulated, ordained, agreed, submitted, sworn, renounced and done in the premises and in each of the premises, by the Council of the said Lord the King of England, and the foresaid prelates and nobles of the said kingdom of Scotland, and our procurators above-named, or six or four of them, we shall hold ratified, approved and confirmed; and we shall acquiesce in them all, and shall not do or come contrarywise in anything, in law or in deed, tacitly or expressly; but we now as then ratify and approve the same by these presents. In witness of all which the common seals of the said burghs and communities thereof have been affixed to these presents at Edinburgh, the 26th day of the month of September, in the year of our Lord MCCCLVII.

IX.

The procurators appointed by the burghs of Edinburgh, Perth, Aberdeen and Dundee enter into an obligation to pay 10,000 *merks sterling.* 5*th October,* 1357.

To all who shall see or hear these present letters or this present public instrument, Alexander Gyllyot, Adam Tore, John Goldsmith, of Edinburgh;

Edenbourg Johannes Mᵖcer Joñes Gill Roƀtus de Gatemilk de Perth [Laurentius de Gar]uok Willus de Leth ⁊ [Johannes] Crab de [Aberdeen M] gr̃ Johannes de Somuille ⁊ Roƀtus Kyd de Donde villaꝝ Mᵖcatores ⁊ Burgeñ tam nr̃o qª alioꝝ mercatoꝝ regni Scocie nõie plenam ab eis [Potestatem ha]bentes salv[t]e[m Domi]no Cum serenissimus Pᵖnceps ⁊ đns nr̃ đns Dauid dei gr̃a Rex Scotorū illustris fuit illustrissimi Pᵖncipis đni Edwardi Regis anglie vᵖus et le[galis Pris]onarius ⁊ captiuᵖ Idemq; đns Rex Anglie sub ctis modis ⁊ q̃dicõnibꝫ nup concessat p̃ pfatus đns Rex Dauid redimatr ⁊ carce suo libᵖetr ⁊ inde ad Regnū Scocie reũtatur pro centˢ Mill marc̃ [Sterlingorum eidem Domino Regi Angliæ sol]uendis pro redēpc̃one sua [cert]is tmīs et locis ꝑut in quadā indentura [in]de confta plenius continetr cuius quidē indenture tenor seqᵗtur in hec [verba] *

. . . . . .

Nos delibᵖac̃om pfati đni nr̃i Regis Scocie plimū affectantes ħita sū tractatibꝫ ⁊ concordanciis ħmdi vnacū platis magnatibꝫ sapientibꝫ ac noƀ

John Mercer, John Gill, Robert of Gatmilk, of Perth; Laurence of Garvok, William of Leth and John Crab, of Aberdeen; Master John of Somerville and Robert Kyd, of Dundee; merchants and burgesses of these towns, in name of us and of other merchants of the kingdom of Scotland, having full power therefrom, greeting in the Lord: Whereas our most serene prince and lord, Lord David, by the grace of God illustrious King of Scots, was the true and lawful prisoner and captive of the most illustrious prince, Lord Edward, King of England, and the same Lord King of England had lately granted under certain forms and conditions that the foresaid Lord King David should be ransomed and set free from his prison and should go back thence to the kingdom of Scotland, in return for one hundred thousand merks sterling to be paid as his ransom to the same Lord King of England at certain terms and places, as is more fully set forth in a certain indenture executed thereanent, of which indenture the tenor follows in these terms:—

. . . . . .

We, earnestly desiring the liberation of our foresaid Lord the King of Scotland, after serious and mature deliberation regarding the treaties and agreements thereanent, with the prelates, magnates, wise men and us merchants

* The terms of the Indenture will be found in Rymer's *Fœdera*, 1708, vol. vi., pp. 46-51.

mcatoribꝫ ⁊ aliis eiusd Regni Scocie quoꝝ conssus in hac pte reqrit᷑ ūl at esse di[gnoscitur] oportun᷒ bona ⁊ matura delib᷒acone de ꝯoi assensu om[nium] ꝑlatoꝝ magnatum ⁊ alioꝝ mcatoꝝ ⁊ cōitat᷑ eiusd Regni Scocie ꝑfatis tractatibꝫ ⁊ concordiis sic fcis ⁊ hitis pure simplic᷑ ex cta sc̄ia ⁊ voluntate lib᷒a consentim᷒ ⁊ eisdē in om̄ibꝫ vnanimit᷑ concordam᷒ Pmittim᷒ e᷑ ⁊ concedim᷒ nr̄o ⁊ quo sup noīc ⁊ qⁱꝫ ñrm pmittit ⁊ qcedit p solēnē stipl̄acom int᷒pōitam ⁊ sr̄ sacr̄is nr̄is inf᷒ius descip᷑ tā in añas nr̄as qª alioꝝ mcatoꝝ absentiū q̄ om̄s artic̄los ⁊ cap̄la sing̃la in dc̄a concordia cōtenta sine dolo arte ūl ingenio obſuabim᷒ tenebim᷒ ⁊ pficiem᷒ ⁊ quiꝫ nr̄m obſuabit tenebit ⁊ implebit ac faciem᷒ ab aliis qªtū in nob est fidel᷑ obſuari Et ad maiorē Roboris securitatē ūl firmitatē om[nium] ⁊ singuloꝝ supª et infrascip᷑ Et maxiē quoad integram solom tocius sūme pecūie videl᷑ Cent᷑ mill marc̄ stling̃ debite dc̄o dno Regi Anglie p delib᷒acone ꝑfati dni nr̄i Dauid Reg̃ Scocie in ctis locis et tm̄is in dc̄a ꝙcordia limitat᷑ p soluend obligam᷒ recognoscim᷒ ⁊ ꝙstituim᷒ nos ⁊ alios mcatores ut ꝑmittit᷑ absentes pincipales debitores ⁊ qⁱꝫ nr̄m ⁊ ipoꝝ insolid debitorē pincipalē totius sōme ⁊ debitoꝝ ꝑdc̄oꝝ Vollum᷒ e᷑

and others of the said kingdom of Scotland, whose consent thereto is necessary or is otherwise considered desirable, by common assent of all the prelates, magnates and others, merchants and community of the said kingdom of Scotland, do purely, simply, of certain knowledge and free will consent to the foresaid treaties and agreements thus made and had, and unanimously approve thereof in all respects. We do also promise and grant, for ourselves and for them, and each one of us promises and grants by a solemn compact entered upon and sworn to by us as under, as well upon our own souls as upon those of the other absent merchants, that without deceit, fraud or guile we, all and each, will observe, hold and fulfil all the articles and every head contained in the said agreement, and will do what we can to have them faithfully observed by others. And for the greater security and confirmation of all and sundry above and underwritten, and especially for the payment in full of all the sum of money, viz., one hundred thousand merks sterling, due to the said Lord the King of England for the liberation of our foresaid Lord David, King of Scotland, at certain places and terms fixed in the said agreement for the payment; we bind and oblige and constitute debtors principal, ourselves and the other merchants aforesaid, and each one of us and them debtor principal *in solidum* for the whole sum and for the debtors aforesaid. And we also will and agree, con-

⁊ *q*sentim⁹ *q*iunctim ⁊ divisim ut si *q*tingat q̃d absit q̃ p̄fatus Dn̄s Rex Anglie aut q̄ius ex p̄te sua expeñ aliq̃s fec̄int aut fec̄it dc̄am sūmā pecūie ūl aliq̄am p̄tem eius requirendo exigendo ⁊ recupando aut p̄p̄ moram soluc̄onis tardac̄onis ul restituc̄ois dāpna g̈uamīa int̄esse ⁊ expeñ incurrer̄it ūl sustinu̇int aut q̄uis eius noīe īc̄rerit ūl sustinuerit om̄es illas expeñ ⁊ om̄ia illa g̈uamia dampna ⁊ int̄esse dc̄o d̄no Regi Anglie aut suo c̄to nūcio ⁊ Procuratori redd⁹e restitue ⁊ integre restaurare P̄mittim⁹ ⁊ q̄l̄ꝫ nr̄m p̄mittit bona fide ⁊ illis om̄ibꝫ ⁊ sing̃lis ⁊ eoꝝ q̈titate ac eē de sorte p̄ncipali debite sup̈dc̄i stare ordinac̄oni taxac̄oni ⁊ execuc̄oni quoꝝcūq; iudicū eoꝝ quibꝫ vocati ūl citati fu̇im⁹ aut fu̇it aliquis nr̄m occ̄one tardacōis ⁊ solōis sūme p⁹dc̄e fr quoꝝ d̄apnoꝝ expeñꝝ ⁊ int̄esse estimac̄one ⁊ q̈titate absq; alia p̄bac̄one Juram̃to p̄tis dc̄i d̄ni Regis anglie credatur atq; stetur Pro quibꝫ om̄ibꝫ ⁊ sing̃lis sup̈dc̄is tenend̄ *q*plend̄ ⁊ firmit̄ obſuand̄ ⁊ nō *q*ueniend̄ dicendis seu faciend̄ ast̄ingim⁹ s̄bmittim⁹ ⁊ obligam⁹ nos ⁊ alios absentes m̄catores ac nr̄m ⁊ īp̄oꝝ q̃libꝫ insolid̄ ⁊ om̄ia bona nr̄a ⁊ īp̄oꝝ iura ac̄ones h̄edū ⁊ successoꝝ nroꝝ ⁊ īp̄oꝝ m̄catoꝝ p̄dc̄oꝝ p̃ncia ⁊ futura vbicūq; exñcia *q*stituta ⁊ iuenta fu̇int cōpulc̄oni ⁊ coh⁹c̄oni q̈rūcūq; Curiar̄ tam ec̄car q̈ sec̄lariū

jointly and severally, that if it should happen (as may it not) that the foresaid Lord King of England or any one on his behalf should in any way incur expense in demanding, exacting and recovering the said sum of money or any part thereof, or should suffer or sustain loss, injury, interest and expense through delay in paying or restoring; to return, restore and fully make up such expense, loss, injury and interest to the said Lord King of England or his undoubted messenger and procurator. And, all and each, we promise in good faith to fulfil to them, all and each, anent such amount, and also anent the principal of the aforesaid debt, the decision, taxation and execution of any of their judges before whom we may be called and summoned by reason of delay in the payment of the sum aforesaid: in estimating the amount of which losses, expenses and interest, the oath of the said Lord King of England shall stand and be believed without other proof. That which all and sundry aforesaid be held fulfilled, strictly observed and not contravened by word or deed, we bind, submit and oblige ourselves and the other absent merchants, and every one of us and them *in solidum*, and all our and their goods, rights and actions of our and their heirs and successors, present and to come, whensoever such shall take effect, be constituted

Judicūq; ⁊ mīstroꝝ eoꝝ ⁊ cuiusł; carūdē in qª ũl quib; hoc Instrm puᶜᵘ oñdi qtingit ꝓduci Ita q̃ realis ⁊ debita execuc̃o possit fi᷒i qª nos ⁊ qł; nr̃m ⁊ alios m̃catoꝝ ꝑdc̃os tā in bonis nr̃is qª suis ac si est sñia lata ꝓ qpetentē Judicē qª in rē trªsfuiss; Judicatā ⁊ ibide qpere ⁊ Juri pere ꝓmittim᷒ ⁊ quił; nr̃m ꝓmittit Et q̃ dc̃ar Curiaꝝ ꝑfatus Dñs Rex Anglie ⁊ ꝓcuꝝ sui eligᷓe possint quā malᷓint illāq; seu illas dimittᷓe ⁊ ad aliā seu alias recurr᷒e qᵒciens sibi videbr expedire nō obstañ q̃ ꝓcesꝰ fuit in eaꝺ Curia inchoat᷒ nullū eidē Rege Anglie ꝓ elc̃om hmꝺ ꝑiudiciū geᷓrando sponte nos ⁊ alios m̃catores ꝑdc̃os ⁊ q̃l; nr̃m om̄iaq; bona tā nr̃a qª sua iura ⁊ acc̃ones ħedū executoꝝ ⁊ successꝰ p̃ncia ⁊ futura q̃ iure ꝓcᵘario noĩe dc̃i ꝺni Reg̃ angł tā nos qª alios m̃catoꝝ absentes qstituim᷒ posside quousq; dc̃o ꝺno Regi angł ũl c̃tis attornatis de tota sūma pecūie ⁊ qªł; eius ꝓte cū dapñ expeñ ⁊ inᷓesse fuit plenarie ⁊ integre satisfc̃m in iꝑas Cuꝝ ⁊ qªł; iꝑaꝝ nos ⁊ ipsos ac bona om̄ia supªdc̃a sponte s̃bmittēdo obligando ⁊ iurisdc̃oni ꝓrogando Et volum᷒ eᷮ q̃ nec nos nᶜ aliquis nr̃m aut dc̃oꝝ m̃catoꝝ absentiū ũl ħedes aut successoꝝ nr̃i

and happen, by compulsion and coercion of any courts, church or civil, and of their judges and officers, or any one thereof, in which this public instrument shall in any way chance to be produced: so that real and due execution can be had against us all and each, and other merchants aforesaid, as well on our goods as on theirs, as if after sentence pronounced by a competent judge, and that we all and each promise to compear and obey the law. And whereas of the said courts the foresaid Lord King of England and his procurators can choose which they please, can leave these and resort to others as often as it seems expedient to them, notwithstanding that a process were begun in the said court, causing no prejudice to the said King of England by such choice; we have of our own accord appointed ourselves and the other merchants aforesaid and each one of us and all our and their goods, rights and actions of heirs, executors and successors, present and to come, both ourselves as procurators and the other absent merchants, to be bound to the King of England, until the said Lord the King of England or his undoubted attorneys shall be wholly satisfied in the total sum of money and in every part of it, with losses, expenses and interest, freely submitting, obliging and subjecting ourselves and them and all the goods aforesaid in the said courts and in any one thereof. And we desire also that neither we nor any one of us or of the said absent merchants, nor

seu eoꝝ possint aut debeant ꝙced᷑e aliq[as] acq[i]etancias ũl acq[i]etanciã aut pactũ aliq̃ de vl᷑tius nō petendo ſr inteḡ ſolone dcaꝝ cenť mille Marc aut aliq[a] eius ꝑte nisi p[i]mo ſuint conſe ⁊ ꝑbate ꝑ bonos ⁊ legales mĩſtr̃ dci đni Regis Angł ⁊ ſb magno sig̃ eiusđ sigillať ⁊ ꝑducte ꝑ ꝑdc̃os mĩstros ad ħ mandatũ ħntes sp̃ale Renũciam᷒ insuꝑ ⁊ q[i]lꝫ nr̃m renũciat ꝑdc̃oꝝ eť nōie diuisim in ꝑdc̃is ⁊ cc[a] ꝑdc̃a om̄ibꝫ ⁊ sing̃lis juribꝫ Auxiliis bñficiis ⁊ remediis ⁊ cautelis ac łris app[ostolicis] ĩpetratis ⁊ ĩpetrādis ac om̄i appellãnis ⁊ ꝑuocac̃ois remedio q̃bꝫ mediātibꝫ ꝙ[a] ꝑdc̃a ũl aliq̃d ꝑdcoꝝ venire possim᷒ seu ea ũl eoꝝ aliq̃d quoꝫ ĩpediť aut nos seu [Bona nostr]a ũl ipoꝝ mcatoꝝ absentiũ iura ũl acc̃ones aut ħeđ nr̃oꝝ ⁊ suoꝝ p̃ncia ⁊ futura deffend᷑e quouismodo ũl tueri Renuciant̃ eť Juri dicenti geñalem renũciãnem nō val᷑e Tenor v᷑o ꝑcurať dc̃oꝝ mcatoꝝ de quo sup᷑ius fit menc̃o sic incipit Nou᷑int vniu᷑s per p̃ntes q̃ nos Alexand᷑ Gilyot ⁊ Adam Core ⁊c Et sic finit Ꝑntibꝫ sũt appensa ap̃ Edēbourgh xxvi die Mensis Septēbris Anno Dñi Millis Trecenť q[i]nq[a]g̃ septĩo In quoꝝ oĩm testioñ p̃ntes łras seu p̃ns publicũ Instr̃m sigillis cõibꝫ villaꝝ de Edenbourg de Perth de Ab᷑den

our or their heirs or successors, grant any acquittance or acquittances, or any agreement not to seek further, on full payment of the said hundred thousand merks or any part thereof, unless such be first granted and approved by competent and recognised officers of our said Lord, the King of England, and sealed with his great seal, and produced by the foresaid officers having special mandate thereanent. Moreover, we, all and each, and in name of the foresaids, renounce, in and anent the foresaids, all and sundry rights, aids, benefits and remedies, and cautions and letters apostolic obtained or to be obtained, and all remedy by appeal and provocation, whereby we can contravene the foresaids or any part thereof, or hinder the same or in any way, or defend or protect ourselves or our goods or the rights or actions of the said absent merchants or their or our heirs, present and to come. Renouncing also the right of declaring the general renunciation to be not valid. And the tenor of the procuratory of the said merchants, mentioned above, begins thus: Know all men by these presents that we, Alexander Gilyot and Adam Core, etc.; and ends thus: Are appended to these presents at Edinburgh, the xxvi day of the month of September, in the year of our Lord thirteen hundred and fifty-seven. In witness of all which we have caused the present letters or the present public instrument to be strengthened with the common seals of Edinburgh, Perth, Aberdeen

⁊ de Donde vna cū Signis ⁊ subsc̄ptōib; notarioꝝ subsc̄ptoꝝ fecim⁹ cōmuniri Dat̄ ⁊ Act̄ ap̄ Berwyk ꝟr Twede die q̄nto Mens Octobris Anno Dñi Mille [Trecent] quinquag Septimo

Et ego Adam de Hilton cl̄icus Lichefeldēn dioc̄ publicus Ap̄lica ⁊ Impiali Auc[a]ce Notarius p̄missis tractatib; ⁊ concordiis obsidumq; admissioni ⁊ recepc̄oni ac p̄missionib; obligac̄onib; t̄minoꝝ assignac̄ōib; iuramentoꝝ p̄stac̄[a]onib; Sigilloꝝ apposiconib; ac om̄ib; aliis ⁊ sing̃lis sup[a]sc̄ptis dum sic ut p̄mittit[r] ag̃ent[r] et fierent sub Anno Dñi Mill̄o ccc[o] lvij[o] Indicc̄ vndecima die Q̄nta mens Octobris Pontificat⁹ d̄ni Innocentii d̄ia p̄uiden[a] pp[e] vj[ti] Anno Q̄nto vna cum mag̃ris Will̄o ⁊ Joh̄e Notariis publicis subsc̄ptis ac d̄nis Rog̃o de Percy Ricardo Tempest ⁊ Ric̄o de Totesham militib; de Angł ac Will̄mo de Ramesey Will̄mo de Vause ⁊ Joh̄e Herys militib; de Scoc̄ testib; ad p̄miss vocatis p̄sens int̄fui eaq; sic fieri vidi ⁊ audiui p aliū scribi feci publicaui Et in hanc publicā formā

and Dundee, together with the signs and signatures of the notaries underwritten. Given and done at Berwick-on-Tweed, the fifth day of the month of October, in the year of our Lord one thousand three hundred and fifty-seven.

And I, Adam of Hilton, clerk, of the diocese of Lichfield, by apostolic and imperial authority notary public, was present while the foresaid treaties and agreements, giving and receiving of securities, promises, obligations, appointings of terms, takings of oaths, appendings of seals, and all and sundry others above written were taking place and being done, in the year of our Lord MCCCLVII, the eleventh indiction, fifth day of the month of October, in the fifth year of the Pontificate of Innocent VI,. by Divine Providence Pope : Together with Masters John and William, notaries public, subscribing, and Roger of Percy, Richard Tempest and Richard of Totesham, knights of England, and William of Ramsay, William of Vaus and John Herys, knights of Scotland, witnesses cited to the preceding : And these things I saw and heard being done, and caused to be written by another, published and to this public form reduced,

redegi signoq; meo solito signaui Rogatus in testimoniū p̄missoꝝ

Et ego Willm̄s de Ragenhill clicus Ebor̄ dioc̄, &c.

Et ego Joh̄es Clerenans clicus Ebor̄ dioc̄, &c.

and signed with my accustomed sign — being summoned to witness the foresaid.

And I, William of Ragenhill, clerk, of the Diocese of York, etc.

And I, John Clerenans, clerk, of the Diocese of York, etc.

X.

The inhabitants of Aberdeen contribute towards the expense of the embassy to England. 1408.

Taxac̄o p̄ma facta p̄ expens̄ nūcioꝝ intend⁹ ad angliā

Joh̄es Goven	xijd	Joh̄ fraf	iiijd
Joh̄es coup	iiijd	Alexr litstar	xviijd
Joh̄es hervy	vjd	Thom̄ lownā	vjd
Thom⁹ Webst	vjd	Vxor Alex̄ Voket	vjd
Joh̄es scot	vjd	Joh̄es crag	vjd
Meg⁹ fernwale	iiijd	Marion Marr	xijd
Cū socia sua	iiijd	Simō Scynar	xijd
Waldy	vjd	Thom̄ dauid	vjd
Andr̄ baxt	viijd	Robt⁹ sadillar	iiijd
Magy corbrand	iiijd	Marioñ abel	vjd
pat garntuly	vjd	Robt⁹ lyly	iiijd
Andro Nase	vjd	Anny carras	iiijd
Joh̄ thome	iiijd	Andr̄ coup	iiijd
Wilt sutar	iiijd	Wat bowar	iiijd
Robt⁹ stragryffe	iiijd	Vat̄ sutar	iiijd
Jamys browne	iiijd	vxor Johīs scherar	iiijd
Galfrid⁹ Jn̄nochty	vjd	Andr̄ gilb̄ti	xviijd
Andr̄ Walkar	viijd	laur̄ dauid	vjd
W Robti	viijd	Andro schsewas	vjd
Elena louche	vjd	Robt⁹ Wan	vjd
Scalpy	xijd	Adā litstar	iiijd

Joh Wiltmi - - - -		W Inrory - - -	
Joh Walti - - - -	iiis	Joh smale - - - -	xijd
Joh trayle - - - -	xijd	Joh modane - - -	vjd
Andr Webst - - -	vjd	W Wricht - - - -	iiijd
Ric fichet - - - -	xijd	Anny modane cū soc - -	iiijd
Joncta dūbar - - -	vjd	Joh smale Junior - -	vjd
Thom de Morauia - -	vjd	Anny crag - - - -	iiijd
Dns Andre Scn - - -		Magy Rauff - - -	iiijd
Joh Mungwale - - -	vjd	Katina lydale - - -	iiijd
Iby sadillar - - -	iiijd	Thō lamb - - - -	vjs
Vxor Alex alne - - -	vjd	Joh perysoñ - - -	vjd
Hankyn crioun - - -	xijd	Robt Johis - - -	ijs
Robt browne - - -	xviijd	W strade - - - -	iijs
vxor thome yhung - -	iiijd	W harp - - - -	iijs
Thom de Marr tailor - -	vjd	Angl gleny - - -	xijd
thō molfane - - -	xviijd	Thō bugl - - - -	ijs
W crag - - - -	xijd	Thō club - - - -	vjd
Bricl Robti - - -	vjd	Joh fichet - - - -	iiijs
thom sprinct - - -	xijd	Alexr clynte - - -	vjd
Robtl Walkar - - -	iiijd	lowden - - - -	xijd
		iij lib v s	iij d
fergl - - - -		Thō Witti - - - -	iiijd
W gicht - - - -	viijd	Robtl borthwe - -	xviijd
Stephanl thoe - - -	vjd	W ettale - - - -	xijd
Joh - - - - -		Robtl lownā - - -	xijd
May lamb - - - -	iiijd	Thō blyndsele - - -	ijs
fynlal Taillor - - -	viijd	laur Johis - - -	xijd
vxor DD thoe - - -	iiijd	vxor thome scherar - -	vjd
Simō baxt - - - -	vjd	W baxt - - - -	vjd
W foty - - - -		Malcolm - - - -	ijd
Anny normā - - -	iiijd	Spaldyng - - - -	ijd
Cristiana Walace - -	ijd	W col - - - -	xijd
Joh qwite - - -	xviijd	Thō col - - - -	xijd
Jamys fleschewar - -	viijd	Alexr galfridi - - -	iiijd
W de cam - - -	xijd	henr sclat - - - -	iiijd

Thom̃ Andrõ	- - -	xijd	
galfrid^{9} taillo^{r}	- - -	iiijd	
pat^{r}cius Alex^{r}	- - -	xviijd	
Meg stewart	- - -	ijs	
hug̃ aƀbvthnot	- - -	viijd	
hesilhede	- - - -	iiijd	
Anny Nory	- - -		
Thõ chekar	- - -	iiijd	
Aƀam stratheykyn	- -	iiijd	
Joh̃ biyame	- - -		
vxor pat^{r}cii baxt^{r}	- - -	vjd	
Anny schewyn	- - -	vjd	
pat^{r}cii cuik	- - - -		
Anny schewyn	- - -		
Joh̃ dūny	- - - -	iiijd	
pat^{r}cii scharp	- - -	iiijd	
S de cam̃a	- - - -	iiijd	
Joh̃ henrici	- - - -	iiijd	
Brici^{9} ferlet^{r}	- - -	iiijd	
Brici^{9} dūctani	- - -	xviijd	
Dauid Riburn	- - -	xviijd	
Joh̃ c'stini	- - - -	xijd	
Will Wricht	- - -	iiijd	
thõ taillo^{r}	- - - -	iiijd	
		xxxj s	iiijd
Andr̃ scherar	- - -	xijd	
Malice sprinct	- - -	iiijd	
Dūctan^{9} carnifex	- -	vjd	
Willms calmā	- - -	iiijd	
Joneta clauda	- - -	vjd	
Joh̃ bell	- - - -	iiijd	
Andreas Baxt^{r}	- - -	viijd	
Andreas Mathei	- - -	xijd	
Joh̃es M^{9}nys	- - -	vjd	
Marion fetes	- - -	vjd	
Joh̃es Simonis	- - -		
Joh̃ Andr̃ huny Joñ	- -	xijd	
vxor Willi lambton	- -	iiijd	
Joh̃es Andr̃	- - -	iiijd	
Joh̃es gledstane	- - -	iiijd	
Simõ lamb	- - - -	iiijd	
Marion lamb	- - -	iiijd	
Joh̃es edmūdson	- - -	vjd	
Joneta soutar	- - -	iiijd	
Alex^{r} lep	- - - -	vjd	
Will Kyntor	- - -	vs	
Joh̃es atkynson	- - -	xijd	
Joh̃ c'stini	- - - -	xijd	
Wat taillour	- - -	iiijd	
Joh̃ lambynton	- - -	vjd	
Joh̃es baxt^{r}	- - - -	iiijd	
Thom̃ huntar	- - -	vjd	
Walt^{r}us Rob^{9}ti	- - -	xijd	
Meg Davy	- - - -	iiijd	
Andreas gifford	- - -	xviijd	
Will Andree	- - -	xijd	
laur̃ leth	- - - -	vjd	
chirdoc	- - - -	iiijd	
Joh̃s Joh̃is	- - - -	iiijd	
Angus lorn	- - - -	iiijd	
Rog̃us Willi	- - -	xijd	
Michael Joh̃is	- - -	iiijd	
Joh̃es spaigney	- - -	iiijd	
Joh̃es harrow	- - -	vjd	
Donald gley	- - -	iiijd	
Joh̃es lawson	- - -	iiijd	
Marion beset	- - -	iiijd	
Thom̃ henrici	- - -	vjd	
Willms quithed	- - -	iiijd	
Joh̃ surych	- - - -	iiijd	
Andr̃ Joh̃is crag	- - -	iiijd	

Dūctan^{9} kerd	iiijd	vxor Rob^{9}ti Wricht	
vxor Alex' benyn	iiijd	Joh̃ Willmi	iiijd
hānay	vjd	Willms fit Ade	viijd
vxor Joh̃is Alani	iiijd	Joh̃es Rothy	
Joh̃es Rob^{9}ti Webst	vjd	Adam Wricht	
Andro bowar	iiijd	Alex^{r} stane	xijd
Jamys browne	vjd	Soror bruysur	iiijd
Marion sproustoñ	iiijd	Joh̃es Garnoch	viijd
Willms daynore	iijs	henr̃ Martyn	iiijd
Stephan^{9} Andr̃	xijd	Will bruysur	iiijd
Joh̃es tulach	xijd	Wat patonsoñ	iiijd
vxor Andr̃ Joh̃is	xijd	Joh̃ thome	iiijd
Joh̃ scrogs	xijd	Thom̃ Lynrōn	vjd
Adam Thome	xijd	Thom̃ Lukar	vjd
paul^{9} coup	iiijd	Will Watsoñ	vjd
Joh̃es fyffe	iiijd	Thom Andr̃	xijd
Ruthirford	ijs cū mat^{e}	Elyn	iiijd
Gilb^{9}t^{9} meignes	xijd	Joh̃	
Anny Rauff	vjd	Bertholomey	iiijd
Rob^{9}t^{9} dūctani	vjd	Joh̃ Wormot	xviijd
Gilb^{9}t^{9} kynros	xijd	Thō squiar	vjd
Andr̃ kynros	vjd	Alan^{9} Ric	vjd
Joh̃es Ricardi	vjd	Wat taillour	iiijd
Willms Jacsoñ	vs	Joh̃ patcij	vjd
Dūctan^{9} h^{9}vy	iiijd	Joh̃ Willmi	vjd
c'stin^{9} clunes	iiijd	duo tene^{ta} Joh̃is fichet hui^{9}	
Suet barry	iiijd	vij dom^{9}	ijs
Joh̃es Willi	vjd	Will nory	iiijd
Joh̃es Walt'son	iiijd	Willms Michaelis	xijd
Galfridus Renfr̃w	xijd	cū vno alio	
Willms scot	iiijd	Joh̃ nory	vjd
Meg bowar	iiijd	Dom^{9} Joh̃is atkynson hūs	
vxor gilb^{9}ti h^{9}vy	iiijd	vij dom^{9}	ijs
Joh̃es gilb^{9}ti	vjd	Andr̃ Ric̃	xijd
Akynhede	iiijd	cū v dom^{9}	xijd

iij lib xv s

Dũctanꝰ futhas - - - iiijd
Thom̄ amfray - - - xvjd
Joh̄ vscher - - - - xvjd
Wiłłms vscher - - - iiijd
Joh̄es Voket - - - ijs
Joh̄ Robꝰti - - - - vjd
Simō stil - - - - vjd
Joh̄es henrici - - - iijs
Andr̄ Andison - - - iiijd
Joh̄ buchan - - - xijd
vxor Vicarij - - - iiijd
Thom̃ crowtane - - - xijd
Joh̄ futhas - - - - vjd
Elyn - - - - -
Robtꝰ fraf - - - - xijd
Thom̃ lawsoñ - - - vjd
Joh̄ Schelp - - - - vjd
vxor Joh̄is lucrę - - -
Joh̄es Jacobi taillor - - vjd
Anny lethe - - - -
Girkyn - - - - vjd
Duthacꝰ lownā - - - vjd
Joh̄ tulch - - - - vjd
Mauld cuykl - - - iiijd
cū socia sua - - - iiijd
Thom̃ abraam - - -
Meg̃ Walchop - - - iiijd
Joh̄es fynlay - - - vjd
Joh̄ dũctani - - -
Vnus faber - - - - iiijd
Wiłłms de camꝰa - - - ijs
ꝑpotꝰ - - - - - ijs
Andr̄ Joh̄is - - - xviijd
Alexr polloc - - - iiijd
Meg̃ huet - - - -
Joh̄ scot - - - - iiijd
Joh̄es scherar - - - xijd
Gwny goldsmyth - - iiijd
Wtdale - - - - iiijd
Wiłłms taillour - - - vjd
Andr̄ branche - - -
laur buchañ - - - iiijd
Wiłłms sprinct - - - vjd
Robtꝰ gray - - - - xijd
Thom̃ Roule - - - xviijd
vxor blyndsele - - - vjd
Joh̄ Nesbit - - - - xviijd
Jacobus scynar - - - iiijd
cristinꝰ crusonk - - - iiijd
Joh̄ Abnethy - - - iiijd
Marioñ nucx - - - iiijd
Thom̃ turnor - - - iiijd
Wiłł trayle - - - - vjd
Simō palframã - - - viijd
Robtus harn - - - vjd
Joh̄ barry - - - - vjd
vxor henr̄ ewynson - - iiijd
Joh̄ Suerdslep - - - iiijd
Wiłłms gilruth - - - vjd
vxor thaynstoñ - - - iiijd
Nicholayus g̃y - - - xijd
Rog̃us sprinct - - - vjd
Meg̃ Scȳnar - - - iiijd
Mathy coupar - - - iiijd
Gib gley - - - -
Aby coupar - - -
Joh̄ Robti - - - - iiijd
Joneta de hall - - -
Archibald smyth - - vjd
Wiłł sperk - - - - vjd
Alexr scyñar - - - iiijd
Andr̄ Wricht - - - vjd
Edy bx̃staf̄ - - - - iiijd
Robtꝰ lichardwod - - iiijd

COMMON SEAL OF ABERDEEN

APPENDED TO OBLIGATION BY THE BURGH, 16TH FEBRUARY, 148[illegible]

Joh polloc - - - -	iiijd	Donald^{o} lyinysoñ - -	vjd
Joh goldsmyth - - -	iiijd	Thō Johis - - - -	xijd
Carnebee - - - -	iiijd	Joh crusank - - -	iiijd
Nicholayus lorym̄ - -	iiijd	Alex^{r} Johis - - -	xijd
Thom̄ Alani - - -	vjd	Andr̄ girg - - - -	xijd
Ric [?] - - - -	vjd	Andr̄ martyson - - -	vjd
Blackall - - - -	xijd	Joh de Morauia - - -	vjd
Robt^{o} glespy - - -	ijs	Adam Witti - - -	vjd
Dauid blabir - - -	xviijd	Andr̄ polgowny - - -	iiijd
R de Cam̄a - - - -	vjd	Jac Joffrayson - - -	

lv s iiij d

XI.

Vniuersis p̄ntes l̄ras insp^{c}turis seu audituris pateat ꝛ sit notu q̄ cu nup de ꝛ sup liberāione Serenissimi principis ꝛ đni nr̄i Dom̄i Jacobi Regis Scotto^{rum} int^{er} Serenissimū p^{i}ncipem Henricū Regem Anglie de auisamēto consilii sui ex vna pte ꝛ dc̄m d̄m Jacobum ac certos ambassiatores regni Scotie ad regnū anglie occasione liberac̄onis h̄m̄oi transmissos ex alt^{er}a Int^{er} cet^{er}a concordatū appūctuatū ꝛ conclusū existat q̄ dictus đns Jacobus Rex soluet p̄fato Henrico Regi anglie ip̄iusve successorib; ꝛ h̄edibus aut eo^{rum} deputat^{o} in eccl̄ia sc̄i pauli londoñ in

XI.

The provost, baillies, etc., of Aberdeen bind themselves in the sum of 50,000 *merks sterling for the ransom of King James I.* 16*th February*, $142\frac{3}{4}$.*

To all who shall see or hear these present letters be it manifest and known that Whereas of late with respect to the liberation of the most serene prince and our lord, Lord James, King of Scots, between the most serene prince Henry, King of England, with advice of his council on the one part, and the said Lord James and certain ambassadors of the kingdom of Scotland sent to the kingdom of England in connection with the said liberation on the other part, it was among other things agreed, appointed and concluded that the said lord King James should pay to the foresaid Henry, King of England, or his successors and heirs, or those deputed or to be deputed by them, at the Church of St. Paul, in London, in England, forty thousand pounds of good and lawful

* See No. XVI., p. 22.

anglia quadraginta millia libraꝝ bone ⁊ legalis monete anglie videlicet in ecclia sĉi pauli p̄dĉa decem millia marcaꝝ monete p̄dĉe infra sex mēses computandos a pⁱmo die pⁱmi sui ingressus in regnū suū scotie vel p̱ ip̄m stet̄it quomin⁹ ingrediat⁷ Et quolib3 añ ex tūc sequēte incipiendo ānū a fine āni computandi a pⁱmo die ing̱ssus sui p̄dicti in ecclia sĉi pauli p̄dĉa decem millia marcaꝝ q°usq̱ dĉa xl millia libraꝝ fuerunt integre p̱soluta ac q̄ p̱ securitate soluĩonis p̄dĉe fiende p̄dictus d̄ns Jacobus Rex ł̄ratorie sub suo sigillo se obliget ceteriq̱ ponant⁷ obsides ⁊ ł̄re etiā quatuor burgoꝝ siue villaꝝ regni scocie concordataꝝ v3 de Edynburgh perth de Dunde ⁊ de Aɒ̄den obligatorie p̄fato regi anglie tradant⁷ ⁊ liɒ̄ent⁷ Nos p̄pōitus et balliui burgi siue ville de Aɒ̄den p̄dict̄ ac cōitas eiusdem ad sonū campane vt moris est in domo nr̃a cōi ad infrascⁱpta sp̄alit̄ congregati ⁊ cōitat̄ nr̃e ville facient̄ ac consideranⁿ p̄fati Dñi Regis liɒ̄aĉonem nō solū nobis s3 eciā toti regno scocie p̱ ip̄ius bono regimīe desideratissimā ⁊ ip̄ius aduētū a m̄ltę dieb3 expᶜtatū nobis ⁊ toti regno suo fore iocundissimū ac pp̄tea volentes p̄dĉa appūctuamēta ⁊ conclusa quātū ad nos cū effectu exequi ⁊

money of England, to wit, at the Church of St. Paul aforesaid, ten thousand merks of money aforesaid, within six months, to be reckoned from the first day of his first entry into his kingdom of Scotland, or whenever he shall appoint his entry, and in every year thereafter following, beginning the year from the end of the year to be reckoned from the first day of his entry aforesaid in the Church of St. Paul aforesaid, ten thousand merks until the said forty thousand pounds shall have been fully paid; And that, in security of the payment aforesaid being made, the said lord King James should bind himself by writing under his great seal, and that other hostages should be given, and that obligatory letters also of the four burghs or towns of the kingdom of Scotland in agreement should be granted and delivered to the foresaid King of England: We, the provost and baillies of the burgh or town of Aberdeen aforesaid and the community thereof, being specially convened for the matters underwritten at the sound of bell, as our use is in our town-house, and there constituting the head court of our town, and considering that the liberation of our foresaid lord the King is much to be desired, not by us alone, but also by all the kingdom of Scotland for its good government, and that his arrival, for many days looked forward to, would be most joyful for us and for the whole kingdom, and therefore wishing effectively to carry out and fulfil the foresaid

pimplere de ꝑfati dñi Regis consensu ⁊ volūtate scient' sponte ⁊ in veritate dicim' fatem' ac nōic nr̄o omniū ⁊ sīgulo⁊ ⁊ coñitatis nr̄e ꝑdc̄e recognoscim' dns ꝑfatus dns Jacobus Rex loco ꝑmīs seu ꝑmīo appūctuat̄ seu appūctuato nō solu̇it ⁊ nō obſuau̇it vt ꝑdc̄m est nos ⁊ successores nr̄os obligatos ꝑfato regi anglie ⁊ ip̄ius ħedib; ⁊ successorib; in quīquaginta millib; marca⁊ bone ⁊ legalis monete anglie quāquid sūmā quīquaginta milliū marca⁊ vice ⁊ nōib; nr̄m ōim ⁊ sing̃lo⁊ ac Coñitat̄ nr̄e ꝑ nobis ⁊ successorib; nr̄is ꝑm'tim' ⁊ vnusquisq; nr̄m ꝑ'ncipali' ꝑ se ħede ⁊ successore suo in solid ꝑm'tit ī casu nō soluconis ⁊ nō obſuac̄onis ꝑdca⁊ soluere dc̄o Henrico Regi anglie ⁊ ħedib; suis ⁊ ip̄ius successorib; vł eo⁊ c̄to nūcio p̄ntes ł̄as seu ea⁊ transsūptum deferenti vł habenti in eccl̄ia sc̄i pauli londoñ in anglia infra mc̄sem computand̄ a tempe seu ꝑmīo q° p'mo ꝑfatus Jacobus Rex in soluc̄do contra appūctuamēt̄um in ea ꝑte ħitū ⁊ supius recitatū defec̄it absq; dilac̄one vl'tiori Volum' insup ⁊ concedim' ꝑ p̄ntes ꝑ nobis ⁊ successorib; nr̄is vt ip̄e Henricus Rex anglie ꝑdictus ip̄iusve heres aut q'uis successor possit fori p'uilegio nō obstañ nos ⁊ successores nr̄os ⁊

appointments and agreements as far as they concern us, with the consent and will of the said lord the King, knowingly, of our own accord, and in truth, say, declare, and in name of ourselves, all and sundry, and of our community aforesaid, bind ourselves that if the said lord King James shall not at the term or terms appointed have made payment and observed the stipulations as aforesaid, we and our successors shall be bound to the foresaid King of England and his heirs and successors in fifty thousand merks, good and lawful money of England, which sum of fifty thousand merks on the part and in name of ourselves, all and sundry, and of our community, we, for us and our successors, promise, and each of us as a principal for himself, his heir and successor, *in solidum*, promises, in case of the non-payment and non-observance aforesaid, to pay to the said Henry, King of England, and his heirs and successors, or to their accredited ambassador bearing or having the present letters or a transumpt thereof, in the Church of St. Paul in London, within a month, to be reckoned from the time or term when the foresaid King James, contrary to the appointment made in that matter and above set forth, shall first fail to pay without further delay: We will, moreover, and by these presents grant for us and our successors, that the said Henry, King of England, or his heir or successor whosoever, notwithstanding the privilege of forum, shall

quēlibꝫ nr̃m in solid̃ ꝛ quē volūit vice ꝛ nōie cōitatꝭ nr̃e ꝛ ip̄am coitatem vbiq; locoꝫ atq; ꝥrarꝫ ī om̄i foro ꝛ sub quocūq; iudice tam eccl̃astico qª sc̃lari ī om̄i curia ad solucōnē sum̄e ꝑdc̃e in toto vel in ꝑte cōueniř nō obstante vł ꝑiudicante sⁱ vt si ꝑtem debiti in iudic̃o vł extra exigit vł recipit ab aliquo nr̃m nō minꝰ possit ip̄m eundem vel eciam reliquos nr̃m ꝛ quē nr̃m maluerit ad residuū sum̄e vł debitr̃ ħmoi pⁱncipaliť ꝛ in solidū cōueniř ꝑmᵗtentes nos nō ꝑbare solucōnem aut lib̃acōnem ħmoi debiti fore fc̃am nisi ꝑ p̃ntes ꝥras incisas vel cancellatas aut acquitanciā sub magno sigillo Regis anglie in hac ꝑte conficiendā ꝑ solucōne vero supªdc̃a ceterisq; ꝑmissis fideliť ac firmiť ꝑimplendꝭ obligamus nos ꝛ nr̃m quēlibet ꝑ se principaliť ꝛ insolid̃ noīe ꝛ vice nr̃e cōitatꝭ ꝑdicte ꝛ nr̃am com̃itatem ac om̄ia bona nr̃a ꝑpⁱa ꝛ com̃itatis nr̃e añdīe p̃ncia ꝛ futura vbicūq; locoꝫ ꝛ ꝥrarꝫ iuenta Renūciates exceptoni rei non sic geste bñfic̃o lesionis restitucōnis ꝛ circūuēc̃onis iurꝭ canonici ꝛ ciuilis auxilio om̄i statuto consuetudini pⁱuilegio ꝛ om̄i iuri ꝑ quod gen̄alis renuciac̃o reprobatr̃ vel

have power to convene us and our successors and any one of us *in solidum*, whomsoever he may wish, on the part and in name of our community, and the community itself, in any place or land, in any forum, and before any judge, ecclesiastical or secular, in any court, for payment of the sum aforesaid, in whole or in part, there being no obstacle or prejudice to him, although he shall have exacted or received part of the debt, judicially or otherwise, from any one of us, from summoning, as a principal and *in solidum*, the same or the rest of us, or whichever of us he may prefer, for the balance of this sum or debt, promising not to prove the payment or discharge, save by the present letters being cut or cancelled or by an acquittance hereof under the great seal of the King of England. For payment, moreover, above-mentioned, and for the faithful and sure implementing of the other premises, we bind ourselves and each of us for himself, as principal and *in solidum*, in the name and on the part of our community aforesaid, and our community and all the goods of ourselves individually and of our community aforesaid, present and future, in whatever place or land they may be found, renouncing the exception of *res non sic gestæ*, benefit of lesion, restitution and circumvention, the aid of the canon and civil law, all statutes, usages, privileges, and all laws by which a general renunciation is reprobated and said to be of no force, and all other

dicit[r] nō valere ac oīnib3 aliis excepc̃onib3 obligac̃onib3 ⁊ defensionib3 que possint contra p̃ntes l̃ras vel contenta in eisd̃m obici vel opponi In cui[9] rei testiõm atq; fidem sigillum nr̃m Comūe p̃ntib3 est appensum apud perth decimo sexto die mens̃ februarii Anno dñi Mill̃mo quadringẽtesimo vicesimo ꝯcio secundum computac̃onem eccl̃ie scoticane

XII.

R. p l̃ras suas patentes p unū annū duratur' ad supplicatõem Thome Weston civis et piscenarii civitatis R̃ London' suscepit in salvū et securum conductum R̃ ac in ptectõem tuitõem et defensionem suas sp̃ales Adam Dolas et Will̃m Shortyng m̃catores ville de Abirden in Scotia ad p̃dtam civitatem R̃ London' cum decem hōib3 in comitiva sua p mare in quadam navi div[9]sis m̃candisis carcata veniendo ibidem morando et phendinando et exinde v[9]sus partes suas p̃dtas absq; impedimento

exceptions, obligations and defences which can be objected or opposed. In witness and faith whereof our common seal is appended to these presents at Perth, the sixteenth day of the month of February, in the year of our Lord one thousand four hundred and twenty-three, according to the reckoning of the Church of Scotland.

XII.

King Henry VI. grants a safe conduct to two Aberdeen merchants.
11th July, 1426.

The King, by his letters patent, to be in force for one year, on petition of Thomas Weston, citizen and fishmonger of the royal city of London, has taken in safe and sure royal conduct, and under his special protection, guard and defence, Adam Dolas and William Shortyng, merchants of the town of Aberdeen in Scotland, travelling with ten men in their company to the foresaid royal city of London by sea in a certain ship, laden with divers merchandise, remaining there and taking in cargo, and thence returning towards their own country without

vel ꝑturbatõe quacumq; redeundo Et quia ꝑdtus Thomas ac Riĉus Esgaston et Reginaldus Darlyngton cives et piscenarii London' coram R' in cancellar' sua ꝑsonaliṫ constituti manuceperunt videlt quil't eoꝝ sub pena viginti libraꝝ q̃d ꝑdti Adam et Wiłłs navem ꝑdtam ad eandem civitatem R̄ London inibi discarcand' et non alibi adduci fac' et q̃d ante eoꝝ recessum abinde de custumis subsidiis et aliis devᵉiis R̄ ꝑ m̃candisis debitis fideliṫ respondeatʳ quam quidem sūmam quil't manucaptoꝝ ꝑdtoꝝ ꝑ se concessit de ꝑris et catallis suis ad opus R̄ levari si ꝑdti Adam et Wiłłs navem ꝑdtam ad dtam civitatem R̄ inibi discarcand' et non alibi non adducant seu adduci fac' ac R̄ de custumis subsidiis et aliis devᵉiis in ea parte debitis non respondeatʳ ut ꝑdtm est Proviso semp q̃d ꝑdti Adam et Wiłłs ac iꝑi quos secum adducent se bene et honeste gerant erga R' et ppłm suū quicqᵃm in R̄ seu ejusdem ppłi R̄ ꝑjudicium vel dampnū nullatenus faciendo vel attemptando contª statuta et ordinatões regni R̄ Angl' q̃dq; iꝑi in aliquo castroꝝ fortalitioꝝ seu villaꝝ R̄ firmataꝝ absq; eo q̃d iꝑi ꝑsentes łras R̄ de salvo conductu capitaneis officiariis seu custodibꝫ eoꝝdem quibꝫ ꝑtinet

any hindrance or obstruction. And whereas the foresaid Thomas and Richard Esgaston and Reginald Darlington, citizens and fishmongers of London, appearing in person before the King in Chancery, have given caution each in the sum of twenty pounds, that the foresaid Adam and William shall cause the foresaid ship to be brought to the said royal city of London, there to be unladen and not elsewhere, and that before their return thence they shall faithfully discharge the customs, imposts and duties leviable on the merchandise; which sum each of the cautioners aforesaid has granted by himself from his lands and chattels for the King's behoof, if the foresaid Adam and William shall not bring, or cause to be brought, the foresaid ship to the said royal city of London, therein to be unladen and not elsewhere, and if the King shall not be satisfied of the customs, imposts and duties leviable thereon as aforesaid. Providing always that the foresaid Adam and William, and those that they bring with them, shall conduct themselves well and honourably towards the King and his people, doing or attempting nothing to cause prejudice or loss to the King or his people against the statutes and ordinances of the realm of the King of England; and that they shall not enter any fortified royal castle, stronghold or town, without in the first place exhibiting the present royal letters of safe conduct to the captains,

primitus demonstrent non ingrediant^r quovis modo Apud Westm' xj die Julii [1426] P bře de privato sigillo.*

XIII.

Jacobus dei grã Rex Scotorum Omnibus &c. salm̃ Sciatis q pro singłari devoc̃oe quã gerim^9 erga gloriosissimã ũginẽ mariã patronã ecclie cathedralis Aberdonen̄ in laudẽ ⁊ honorẽ eiusd̃ ac p spc̃ali fauoř zelo et dilec̃oe quos habemus erga reuerend in x̃po^9 pr̃em Willm de Elphinstoñ eiusd̃ ecclie cathe^lis modernũ epm et prelatũ *q*siliariũ ñrm intime dilectũ et pro suis fideli et gratũito ꝰuicio magnisq; laboribus ac q^a pluribus expens̄ et in ptẽ recompensaťois carũd̃ diũs tp̃ibus in

officers or keepers thereof whom it may concern. At Westminster, 11th July [1426], under the privy seal.

XIII.

King James IV., inter alia, *creates the city of Old Aberdeen a free burgh of Barony. 26th December*, 1489.

James, by the grace of God King of Scots, to all, etc., greeting. Know ye that, for the singular devotion that we bear towards the most glorious Virgin Mary, patron of the Cathedral Church of Aberdeen, in praise and honour of the same; and for the special favour, zeal and affection that we have towards the reverend father in God, William of Elphinston, now bishop and prelate of the said Cathedral Church, our much beloved councillor; and for all his faithful and gratuitous service, and great labours and heavy expenses (and in part repayment thereof) incurred at divers times in missions and embassies

* Similar letters of safe conduct are granted to the following burgesses of Aberdeen :

1433, Oct. 6. John Fyf, Matthew Fycheat, and Andrew Coleyn.
1435, Dec. 10. John Fyf, Matthew Fychet.
$143\frac{7}{8}$, Feb. 23. Andrew Coleyn, John Kempty, John Blak, and David Symson.
1438, May 14. John de Vaus, Richard de Kyntore, Duncan de Glait, David Clerc, John Vocate, James de Vaus, and William de Vaus.
Nov. 20. Andrew Coleyne and William Voket.
$143\frac{8}{9}$, Feb. 10. Richard Rotherford, Robert Blynsell, John de Stratton, and John Burnard.
$144\frac{0}{1}$, Feb. 10. John de Fyf, Thomas Kyndy, John Kyndy, and Andrew Allynson.
$146\frac{2}{3}$, Mar. 14. David Menies.

legacionibꝫ et ambassiatꝯ ad francie ⁊ anglie Reges ⁊ Regna burgundie ⁊ austrie ducē ac ad partes alias necnon in nr̃o ꝺuicio infra nr̃m Regnū ꝑ Repuca ⁊ tranquillitate eiusd̃ Approbaīmꝰ ratificaīmꝰ et cū aūisamēto nr̃i ꝙsilii de noūo dedimꝰ ꝙcessimꝰ mortificaīmus ⁊ ꝙfirmaīmꝰ et hac pñti carta nr̃a approbamꝰ ratificamꝰ damꝰ ꝙcedimꝰ et ꝑ nobis et successoribꝫ nr̃is mortificamꝰ et ad manū mortuā ꝑ ppetuo ꝙfirmamꝰ oīes ⁊ singl̃as donacōes ꝙcessiones fundacōes ⁊ infeodationes ꝑ predecessores aut ꝑgenitores nr̃os inclitissimos siue alios d̃nos aut barones vel quascumq; alias ꝑsonas sp̃uales at temporales āte ꝙfecc̃oem pñtis carte nr̃e factas epis et ꝺlatꝯ ac ecclie catheli aberdoneñ de quibuscūꝫ ꝺrꝯ ānuis reddit̃ibꝫ molend̃is piscacōibꝫ liberꝯ forestꝯ ⁊ warēnis ecclis capellaniis ⁊ possessionibꝫ quibuscūꝫ datꝯ vnitis aut mortificatꝯ eid̃ ecclie catheli aberdoneñ seu infra eand̃ ꝑ aniꝺsariis seu aꝫs quoūismodo cū oīmibꝫ ꝺūilegiis iīmunitatibꝫ libertatibus et coīmoditatibus quibuscūꝫ ad hmoi spectañ seu qualiꝺcūꝫ spectar̃ valeñ in futur̃ ꝑ ipm reūerend̃ in x̃po ꝑrem suosq; successores eꝑos aberdoneñ tenend̃ possedend̃ ⁊ habend̃ de nobis et successobꝫ nr̃is ī purā ⁊ ꝺꝑetuā elimosinā adeo liꝫe ⁊ quiete in oīmibus et ꝑ oīmia sicut

to the kings and kingdoms of France and England, the dukes of Burgundy and Austria, and to other foreign parts, and in our service within our kingdom on behalf of the commonwealth and the peace thereof; We have approved, ratified, and, with consent of our council, of new given, granted, mortified and confirmed, and by this our present charter do approve, ratify, give, grant, and for us and our successors mortify, and for ever confirm in mortmain, all and sundry gifts, grants, foundations and infeftments made by our most renowned predecessors or ancestors, or by other lords or barons, or by any other persons whatsoever, spiritual or temporal, before the expeding of our present charter, to the bishops and prelates and Cathedral Church of Aberdeen, of lands, annual rents, mills, free fishings, forests and warrens, churches, chaplainries, and possessions whatsoever, given, united or mortified to the said Cathedral Church of Aberdeen, or within the same, for anniversaries or other purposes, with all privileges, immunities, liberties, and conveniences whatsoever, belonging or that may in any way belong in future thereto: to be held, possessed and had by the said reverend father in Christ, of us and our successors, in pure and perpetual alms, as freely and quietly, in all and through all, as the charters and evidents thereon expede, and our present gift

carte ⁊ euidēcie inde ꝙfecte et preseñ nostr̃ donaº ⁊ mortificaº in se ꝑportant et testantur Concessimꝰ ꝙ ⁊ tenoꝝ ꝑntꝫ carte nr̃e ꝙcedimꝰ ꝙ Ruptores ⁊ violatores dictarꝝ īmunitatū capiātur ī nr̃is īdictamētꝫ ꝑ ctīcos nr̃e Justiciarie et crimē ꝑ illos inde comissꝫ ꝑ ꝑncto nr̃i dictam̃is in futurꝫ reputetur et dicti delinquētes ꝑ eoꝺ ad mortē puniētur Acceciā dedimꝰ et ꝙcessimꝰ ⁊ hac ꝑnti carta nr̃a damꝰ et concedimꝰ predicto reuerendo ꝑr̃i suisꝙ successoᵇꝫ ac capitulo et cañoicꝫ dicte ecctie cathelis aberdoneñ nūc ꝑntibꝫ ⁊ futurꝫ plenariū ꝑūilegiū libertatē et ꝑtatem quecūꝫ victualia vina aut alias m̄cācias infra portū nr̃m de aberdene seu extra eunꝺ apportaī a quibuscūꝫ nr̃is ligeis seu extraneis aliorꝝ regnorꝝ illuc adueniētibus ꝑ eorꝝ oportūis vtilitatibꝫ et ad ipsorꝝ ⁊ suorꝝ dōicilioꝝ sustentacões honestas emēdi Et dicī victualia vina seu m̄cancias iterū m̄ce vendēdi aᵗ desup quoūismodo m̄candiꝫandi ꝑut tempibus retroactꝫ inūiolabilitꝰ obꝫuatū fuit Ac insuꝑ ꝙ nobis nr̃oꝙ ꝙsilio ꝑ antiqua nr̃a Registra ⁊ aīs euidentꝰ luculentꝰ ꝙ ꝙstat quōꝺ serenissimū ꝑdecessorē nr̃m Dauid Scotorꝝ regem gloriosissimū infeodasse canoniā de Aberdone cū ꝑtinen vulgaritꝰ nūcupat le ald aberdone in sedē epalē ⁊ ciuitatē imppeᵐ cū

and mortification in themselves set forth and testify. And we have granted, and by the tenor of our present charter do grant, that transgressors and violators of the said immunities be taken on our indictments by our justice clerks, and the crime so committed by them be henceforth held as a ground of indictment; and the said delinquents be punished therefor even to death. And also we have given and granted, and by this our present charter do give and grant, to the foresaid reverend father and his successors, and to the chapter and canons of the said Cathedral Church of Aberdeen, for the time being and to come, full privilege, liberty and power to buy all sorts of victuals, wines and other merchandise brought within the port of Aberdeen, or outwith the same, by our lieges whatsoever, or by strangers from other kingdoms coming thither for their own profit and for the honourable support of themselves and their households; and to sell again the said victuals, wines or merchandise; or to traffic therewith in any way, as in times past has been inviolably observed. And moreover, whereas by our ancient records and otherwise it is fully and clearly evident to us and to our Council that our umquhile most serene predecessor David, King of Scots, of glorious memory, did infeft the Chanonry of Aberdeen with its pertinents, commonly called Old Aberdeen,

oīibus juribꝫ libertatibꝫ et ꝑuilegijs ad cītatē spectañ Ipamqꝫ canoniā reputamꝰ et declaramꝰ sic infeodatā esse ⁊ fuisse et eand eciā de nouo infeodaimꝰ cū ōibus juribꝫ libertābꝫ et ꝑuilegijs ad ciuitatē spectañ ut ꝑmittitur et adeo libere sicut aliqua ciuitas infra regnū nr̄m infeodatur aut possidetur Et pro maiori firmitate ac clariori libertate ꝑdicte cīt̄ et ꝑ vtilitate quiete ⁊ necessaria sustentaⁿᵉ ꝑfati reu̇endt̄ in x̄po ꝑris suorꝝq; successorꝝ ac capituli canonicorꝝ et capellanorꝝ dicte ecclie catheˡⁱˢ Aberdoneñ eorꝝq; ꝑuitorꝝ et familiariū apud dict̄ ciuitatē ⁊ villā de le ald aberdone residenciū creauīᵒ et feciᵒ et tenor̄ ꝑñtꝝ carte nr̄e ꝑamᵒ ⁊ facimᵒ ꝑdict̄ ciuitatē ⁊ villā de le ald aberdone in vnū merū ⁊ liberū burgū in baronia imꝑpeᵐ Concessimᵒ eciā ⁊ ꝙcedimᵒ inhitantibꝫ ꝑdict̄ cītatē villā ⁊ burgū et in postrū īhabitaꝝt̄ plenariā pr̄atem et liberᵗᵉᵐ emēdj et vendendi in ipo burgo vina cerā panū laneū ⁊ lineū latū et strictū aliaq; m̄cimonia Ac hndj et tenēdj pistores brasiatores carnifices ⁊ tā carniū q; pisciū macellarios aliosqꝫ artiū oparios ad libᵉtatē burgi ī baronia qualit̄cūꝫ spectañ Necnō ꝙcessimᵒ et concediᵒ ꝑdicto Reuerendo pr̄i ⁊ suis successoribꝫ aberdoneñ ep̄is

as the See of a bishop and as a city for ever, with all rights, liberties and privileges belonging to a city: the said Chanonry we do acknowledge and declare to have been and to be so infeft; and the same also we have infeft of new with all rights, liberties and privileges belonging to a city as aforesaid, and as freely as any city within our kingdom is infeft and possessed. And for the greater security and ampler liberty of the foresaid city, and for the behoof, ease and necessary maintenance of the said reverend father and his successors, and of the chapter, canons and chaplains of the said Cathedral Church of Aberdeen, and their households and servants residing in the said city and town of Old Aberdeen, we have created and made, and by the tenor of our present charter do create and make the foresaid city and town of Old Aberdeen a true and free burgh in barony for ever. We have also granted and do grant to the inhabitants of the foresaid city, town and burgh, now and to come, full power and liberty to buy and sell within the said burgh, wines, wax, cloth, woollen and linen, broad and narrow, and other merchandise; and to have and to hold bakers, brewers, butchers and sellers of flesh and of fish, and other craftsmen in any way belonging to the freedom of a burgh in barony. As also we have granted and do grant to the foresaid reverend father and his successors, bishops of Aberdeen, power to choose annually, in the said city,

ꝑtatē añuatī balliuos ꝺiādos et alios officiarios infra dicī cītē villā ⁊ burgū in baronia ꝑ regemiē eiusd̄ neccessꝺios eligendj Et q̄ sint burgēses in eisd̄ et q̄ ħeant teneāt et possedeāt crucē et forū in iꝑis cītate villa ⁊ burgo ⁊ diē fori singłis ebdomidę in die lune et nūdinas pu^cas singłis ānis ippetuū vnā vĩ3 in cena Dñi ante pascha vulgarit^ꝺ nūcupaī Skyī thurisday Aliā vero in diē sancti luce ewangiliste et ꝑ octauas eiusd̄ cū ōib3 theolo^is liber^b3 et ꝺuilegijs ad ħmoi nūdinas ac ad cītatē et liberū burgū in baronia spectañ seu juste spectaī valeñ in futurū Tenend̄ ⁊ habend̄ oīes ⁊ singlas terras ānuos redditus molendina pisca^es liberas forestas ⁊ warēnas ecclias ⁊ capellanias et possessiones quascūq; eid̄ ecclie cathe^li aberdoneñ seu infra eand̄ ꝑ ānisꝺsarijs seu alꝭ quouismodo cū oīibus suis ꝺuilegijs īmunitatib3 liber^b3 et cōmodita^b3 quibuseū3 ꝺus vt ꝺmitti^r daī vniī a^t mortificaī et nūc ꝑ nos de nouo ꝙcessꝰ appbaī ratificaī mortificaī et ꝙfirmaī cū alijs libertatib3 supʳscⁱptę et cū capella breuia deliberandi ꝺdicto reuerēdo pri et suis successo^b3 epis Aberdoneñ de nobis et successo^b3 nris ī purā et ꝑpetuā elimosinā ac ad manū mortuā imꝑpe^m adeo libeī et quiete ī oīibus et ꝑ oīia sicut carte ⁊ euidencie inde ꝙfecte et

town and burgh in barony, baillies, serjeants and other officers necessary for the government thereof; and that there be burgesses therein, and that they have, hold and possess a cross and a market-place in the said city, town and burgh, and a weekly market-day on Monday, and public fairs every year for ever, viz., one on the day before Good Friday, commonly called Skyre Thursday, and the other on St. Luke the Evangelist's Day [18th October], and during eight days therefrom, with all tolls, liberties and privileges belonging, or that may in future rightly come to belong, to such fairs and free burgh in barony, and to a city and a university. To be held and had, all and sundry lands, annual rents, mills, free fishings, forests and warrens, churches and chaplainries, and possessions whatsoever, given, united or mortified to the said Cathedral Church of Aberdeen, or within the same, for anniversaries or other purposes, with all their privileges, immunities, liberties and conveniences whatsoever as aforesaid, and now by us of new ratified, mortified and confirmed, with other liberties above-written, and with a chancery for issuing brieves; by the foresaid reverend father and his successors, bishops of Aberdeen, of us and our successors, in pure and perpetual alms, and in mortmain for ever; as freely and quietly in all and through all as the charters and evidents thereon expede, and our present

p̄señ nostr̄ donaº et mortificatio vt p̄missū est in se pleni° ꝑportaꝫ et testantur Et adeo libere sicut aliqua elimosina cuicū3 ep̄o vel prelate aut sedi ep̄ali infra Regnū nr̄m datur ꝙceditur infeodatur ꝙfirmatur mortificaʳ aᵗ possedetur aut dari ꝙcedj infeodari ꝙfirmari mortificari vel possedj poterit qualit̄cumq; in futur4 Necnō tenend et habend predict̄ cī^tem et villā nūcupaꝫ le ald aberdone ꝑpetuis futurꝙ temporibus ī cītatē ac merū et liberū burgū in baronia cū supʳdictꝙ p̄uilegijs libertatibus ⁊ cōcessiōib3 ac vniu͞s alijs liberᵇ3 ꝑficuis cōmoditatib3 et asiamētꝙ ac justꝙ suis ꝑtineñ quibuscū3 tam nō nōiatꝙ qᵘ nōiatꝙ ad ciuitatē et burgū ī baronia spectañ seu juste spectare valeñ in futurū Et adeo libeꝛ̄ quiete plenarie integre honoᶜᵉ b̄n et in pace in om̄ib3 et ꝑ om̄ia sicut aliqua cītas aut aliquis burgus ī baronia in regno nr̄o quibuscūq; tempibus retroactꝙ liberius infeodatur seu tenetur sine aliqua reuoⁿᵉ aut ꝙtradiccōe nr̄j aut successo4 nr̄o4 qºrūcūq; quouismodo sup̄ p̄mis͞s faciēd in futurꝙ Faciendo inde ꝑ ꝑpetuo id̄ reuerendus in xp̄o pater ⁊ successores sui ac canōicj et capitulū aberdoneñ ꝑ nobis ac p̄decessōᵇ3 et successoribus nr̄is or̄onū suffragia deuotar4 t̄m In cuius rei testimoᵐ pñti carte nr̄e magnū sigillū nr̄m apponi

gift and mortification as aforesaid do in themselves set forth and testify; and as freely as any alms is or can anywise in future be given, granted, infeft, confirmed, mortified to or possessed by any bishop, or prelate, or episcopal See within our kingdom. As also to be held and had the foresaid city and town called Old Aberdeen in all time to come as a city and as a true and free burgh in barony, with the foresaid privileges, liberties and grants, and with all other liberties, profits, advantages, easements and their just pertinents whatsoever, both not named and named, belonging, or that may in any way in future come justly to belong, to a city and a burgh in barony; and as freely, quietly, fully, wholly, honourably, well and in peace, in all and through all, as any city or burgh in barony within our kingdom in any times past was infeft or held, and without any revocation or challenge to be made by us or by our successors whatsoever in any way on the premises in time to come. Rendering therefor for ever the said reverend father in Christ and his successors, and the canons and chapter of Aberdeen, on behalf of us and our predecessors and successors, the offering of devout prayers alone. In witness whereof we have commanded our great seal to be appended to this our present charter. Witnesses: The

ꝑcepimꝰ Testibus reuerendꝭ in xꝑo ꝑribus Roberto eꝑo Glasgueñ Georgio eꝑo Dunkeldeñ Willmo eꝑo Aberdoneñ dilectꝭ ꝙsangneis nr̃is Colino coite de Ergile dno Campbell ⁊ lorne cancellario nr̃o Patꝛicio coite de Boithvile dno Halys magro Hospicij nr̃i Willmo comite de Eroll dno Hay ꝙstarioꝰ regni nr̃i Joh̃e dno Glāmys Joh̃e dno Drūmond Justiciarijs nr̃is Alexꝰ Hume de eod magno camerario nr̃o Andrea dno Gray Laurencio dno Oliphant Willmo dno sancti Joh̃is thesaurario nr̃o venerabli i xꝑo ꝑre Johanne ꝓor̃ monasterij nr̃i sanctiandrꝭ nr̃i secreti sigilli custode et dilectis clꝰicꝭ nr̃is magris Alexꝰ inglis archnᵒ sancti andrꝭ Ricardo murhede decano Glasgueñ rotulorꝝ nr̃orꝝ ⁊ regist̃ ac ꝙsilii clꝰico ⁊ Archidᵒ quhitlaw subdecano Glasgueñ secretario nr̃o Aꝑd Edinburgh vicesimo sexto die mẽs Decembrꝭ Anno Dñi jm iiijc lxxxixno Et Regni nr̃i scdo

XIV.

Jacobus Dei gracia Rex Scotorum omnibus probis hominibus tocius terre sue clericis et laicis saltm̃ Sciatꝭ quia pro singulari deuocione

reverend father in Christ, Robert, bishop of Glasgow; George, bishop of Dunkeld; William, bishop of Aberdeen; our beloved cousins, Colin, Earl of Argyll; Lord Campbell and Lorne, our Chancellor; Patrick, Earl of Bothwell, Lord Hales, master of our household; William, Earl of Errol, Lord Hay, constable of our kingdom; John, Lord Glamis; John, Lord Drummond, our justiciars; Alexander Hume of that Ilk, our high chamberlain; Andrew, Lord Gray; Laurence, Lord Oliphant; William, Lord St. John, our Treasurer; the venerable father in Christ, John, Prior of our Monastery of St. Andrews, Keeper of our Privy Seal; and our beloved clerks, Masters Alexander Inglis, Archdeacon of St. Andrews; Richard Muirhead, Dean of Glasgow, clerk of our rolls, and register, and council; and Archibald Whitelaw, sub-Dean of Glasgow, our secretary. At Edinburgh, the twenty-sixth day of the month of September in the year of our Lord MCCCCLXXXIX., and of our reign the second.

XIV.

King James IV. creates the town of Torry a free burgh of barony.
11th December, 1495.

James, by the grace of God King of Scots, to all good men of his whole land, churchmen and laymen, greeting. Know ye that for the singular

quā habemus bt̄o m̄tiri sancto Thoma et sancto Fotino patruno ville de Torry jacen̄ infra viceco^tū nr̄m de Kincardin ac pro amore ⁊ fauore quos gerim^9 erga venerabilē in xp̄o p̄ʒ Dauid abbatē monasterij nr̄i de Aberbrothok necnon asiamēto ⁊ supportac̃oe extraneo^4 alienorū nr̄orūq; legio^4 in dicta villa hospitandorū qui venientes extra mōtem versus burgū nr̄m de Abirdene aliasve boriales regni nr̄i p̃tes ꝑp̄ aieris intemperiē aquā de Dee forte ꝑtransire nō poterunt infeodauimus creauim^9 et fecim^9 ⁊ hac p̃nti carta nr̄a infeodamus creamus et fecimus dictā villā de Torry liberū burgū in baronia pro ꝑpetuo Concessim^9 eciā et hac p̃nti carta nr̄a cōcedim^9 inhabitantibʒ dt̄m burgū et īposterū inhabitaturꝫ plenariā p̃tatē et liberā facultatē emēdi et vendendi in ipo burgo vina cera panū laneū et lineū latū et artū aliaq; m̄cimonia quecūq; cū p̃tate et libertate habendi et tenendi pistores brasiatores ⁊ carnifices et tā carniū q;^n pisciū macellarios aliosq; artium op̄arios ad libertatē burgi in barōia qualitercūq; spectañ ⁊ ꝑtineñ Concessim^9 ec̃ia ⁊ hac p̃nti carta nr̄a cōcedim^9 ut in dto burgo sint burgenses et ibidem cū consensu dicti abbatis ⁊ successorū suorū qui

reverence which we have towards the blessed martyr, Saint Thomas, and towards Saint Fotin, patron of the town of Torry, lying within our sheriffdom of Kincardine, and for the love and favour which we bear towards the venerable father in Christ, David, abbot of our monastery of Arbroath, as well as for the convenience and support of alien strangers and of our lieges lodging in the said town, who, coming from beyond the mount towards our burgh of Aberdeen, or other northern parts of our kingdom, might by reason of tempest be unable to cross the water of Dee—we have infeft created and made, and by this our present charter do infeft, create and make the said town of Torry a free burgh in barony for ever; we have also granted, and by this our present charter do grant, to the dwellers in the said burgh, and to those who shall dwell therein for ever, full power and free faculty to buy and to sell in the said burgh wines, wax, woollen and linen cloth, wide and narrow, and other merchandise whatsoever, with power and liberty to have and hold bakers, brewers, and sellers both of flesh and of fish, and other craftsmen belonging and pertaining in what way soever to the liberty of a burgh in barony; we have also granted, and by this our present charter do grant, that there be burgesses in the said burgh, and that therein, with consent of the said abbot and his successors for the time being, they have in future the

pro tempe fuerit ꝑtatem habeant future tempibus elegendi balliuos aliosq; officiarios pro guberna[e] eiusd burgi necessarios Necnō cō-cessim[9] ⁊ hac ꝑnti carta nr̃a cōcedim[9] burgen̄ ⁊ inhabitañ dr̃m burgū vt in ipo burgo habeāt tenēāt ⁊ possideant pro ꝑpetuo crucē ⁊ forū die venerꝯ singulis ebdomadis ⁊ nudinas publicas singulis ānis in festo siue die sancti Fotini cū quatuor diebꝫ prox-imo inde sequen̄ cū theoloneis ⁊ oīibꝫ libertatibꝫ ad hm̃oi nudinas spectañ seu juste spectare valen̄ in futurū Tenend et habend predtam villā de Torry in liberū ac merū burgū in baronia cum supra-dtis preuilegiis libertatibꝫ ⁊ cōcessionibꝫ ac vniuersꝭ aliis libertatibꝫ proficuis cōmoditatibꝫ et asiamētis ac justis ꝑtinen̄ quibuscunq; tā nō nōiatis q;[n] nōiatis ad burgū in barōia spectañ seu juste spectare valen̄ in futurū Et adeo libere sicut aliquis burg[9] in barōia infra regnū nr̃ infeodat[r] seu tenetur sine reuocac̃oe quacūq; In cuius rei testimoniū ꝑnti carte nr̃e magnū sigillū nr̃m appoī precipimus Testibꝫ reuerendo in xpo patre Willmo ep̃o abirdonen̄ nr̃i secreti sigilli custode dilectis cōsanguineis nr̃is archibaldo comite Angusie dn̄o Dowglas cancellario nr̃o Patricio cōite de Boithuile dn̄o Halꝯ Alexr̃o domino Hume magno

power to choose baillies and other necessary officers for the government of the said burgh; we have as well granted, and by this our present charter do grant, to the burgesses and inhabitants of the said burgh, that therein they may have, hold and possess for ever a cross, a weekly market on Friday, and a yearly public fair on the feast or day of Saint Fotin with the four days immediately following, with tolls and all liberties belonging, or which may in future justly belong, to such markets: To be held and had the foresaid town of Torry in free and mere burgh of barony, with the aforesaid privileges, liberties and grants, and with all other liberties, profits, conveniences and easements and just pertinents whatsoever, both not named and named, belonging, or which in future may justly belong, to a burgh in barony; And that as freely as any burgh in barony within our kingdom is infeft or held, without any revocation whatsoever. In witness whereof we have ordered our great seal to be appended to our present charter. Witnesses: The reverend father in Christ, William, bishop of Aberdeen, keeper of our privy seal; our beloved cousins, Archibald, Earl of Angus, lord Douglas, our chancellor; Patrick, Earl of Bothwell, Lord Hales; Alexander lord

camᵐlario nr̃o Johanne dn̄o Drumond justiciario nr̃o Et dilectis clericis nr̃is mãgris Ricardo murehede decano Glasgueñ secretario nr̃o et Waltero Drumond decano Dumblaneñ nr̃orū rotulorū ⁊ registri ac cōsilii clerico apud monasteriū nr̃m de Abirbrothok vndecimo die mẽ Decembr̃ anno Dñi mill̃mo quadringent̃ᵐᵒ nonagesimo quīto Et regni nr̃i octauo

XV.

In dei nŌie amen per hoc pñs publicum Instrumētum cunctis pateat euidenter et sit notum quod anno incarnationis dominice millesimo quingenᵐᵒ quinquagesimo nono mensis vero decēbris die vigesimo nono indictione tertia pontificatus pii pape quarti anno primo In mei notarii publici et testium infrascriptorum pñtia personaliter constitutus religiosus vir frater Joannes roger gardianus fratrum minoritarum burgi de abirdene qui publice exposuit qualiter certi enormes hoīes huius regni Scotie quo animo ducti deus scit

Hume, our high chamberlain; John lord Drummond, our justiciar; and our beloved clerks Masters Richard Muirhead, dean of Glasgow, our secretary, and Walter Drummond, dean of Dunblane, clerk of our rolls and register and council. At our monastery of Arbroath the eleventh day of the month of December in the year of our Lord one thousand four hundred and ninety-five, and of our reign the eighth.

XV.

The Minor or Gray Friars resign their possessions in favour of the Burgh. 29th December, 1559.

In the name of God, Amen. By this present public instrument be it made manifest and known to all men that in the year of the incarnation of our Lord, one thousand five hundred and fifty-nine, on the twenty-ninth day of the month of December, in the third indiction, in the first year of the pontificate of Pope Pius the fourth: In presence of me, notary public, and of the witnesses underwritten, personally compeared a holy man, Friar John Roger, Superior of the Minorite Friars of the burgh of Aberdeen, who publicly proclaimed how certain infamous men of this kingdom of Scotland,

distruxerunt et dissipauerunt templa hospicia edes et ortos monasteriorum et locorum religiosorum regni eaq; funditus euerterunt et solo equarunt Et (vt cõis populi vox est) certi eiusdem secte homines regno capite destituto in absentia dne nre regine jam pridem venturi sunt obruere et dissipare templa loca hospicia edes et ortos eorundem fratrum minoritarum quibus Inuasoribus vt asseruit resistere nequit Ideo cum consensu et assensu cõuentus sui capitulariter congregat resignauit huiusmodi hospicia edes et ortos Ipsis incumbeñ Infra dictum burgum Iaceñ In manibus Dauidis mar vnius balliuorum dicti burgi In fauorem prepositi balliuorum consulum et cõitatis prefati Burgi de Abirdene pure et simplicit prouiso tamen quod si contigerit supremam dnam nram reginam restituere reliquis fratribus religiosis eorum loca templa vel edificia q ipsis fratribus minoritis similis restitutio fiet absq; eorum preiudicio aut indignatione regine incurreñ Super quibus õibus et singulis thomas nicolson balliuus procuratorio nõie totius cõitatis dicti burgi a me notario publico subscripto Sibi fieri petiit instrumẽtum seu instrumẽta vnum vel

prompted by God knows what design, destroyed and scattered the churches, hospitals, buildings and yards of the monasteries and holy places of the kingdom, and utterly overthrew the same and levelled them with the ground; and how (as common report has it) certain men of the same persuasion, while the kingdom was bereft of a head through the continued absence of our lady the Queen, were about to overturn and scatter the churches, places, hospitals, buildings and yards of the same Minorite Friars, which intruders, as he asserted, it was impossible to resist: Therefore, with consent and assent of his convent in chapter assembled, he purely and simply resigned the said hospitals, buildings and yards belonging thereto lying within the said burgh, in the hands of David Mar, one of the baillies of the said burgh, in favour of the provost, baillies, councillors and community of the foresaid burgh of Aberdeen: Providing, however, that if it shall come to pass that our sovereign lady the Queen restore to the remanent holy friars their places, churches or buildings, a like restitution shall be made to the said Minorite Friars, without their being prejudiced or incurring the displeasure of the Queen. Upon which, all and sundry, Thomas Nicholson, baillie, as procurator for the whole community of the said burgh, craved from me, notary public subscribing, an instrument or instruments, one or more, to be made

plura Acta erant hec In aula dictorum fratrum minoritarum hora tertia post meridiem sub anno mense die indictione et pontificatu quibus supra presentibus Ibidem gilberto menȝes Patricio menȝes Patricio malysoun colino porterfeld georgio Lesly Joanne gareaucht Vilhelmo barclay Vilhelmo craufurd hallibrando menȝes cum diuersis aliis Testibus ad premissa vocatis pariterq; rogatis

Et ego magister Joannes kennedy clericus diocesis abirdoneñ sacra authoritate apostolica notarius publicus ac scriba cõis Burgi de Abirdene premissis omnibus et siñglis sic vt premittitur dictꝯ actis et factꝯ vnacum p̃nõiatꝯ testibus p̃sonaliꝫ interfui Eaq; õia et singula sic fieri vidi scivi et audiui Ac in notam cepi Ex quibus hoc publicũ Instrumẽtum manu aliena fideliter scriptum exinde confeci signaui et subscripsi In fidem et testimoniũ veritatꝯ omniũ et singulorũ p̃missorum rogatus et requisitus

to him. These things were done in the hall of the said Minorite Friars at the third hour after noon, in the year, month, day, indiction and pontificate above stated. Present Gilbert Menzies, Patrick Menzies, Patrick Malysoun, Colin Porterfield, George Leslie, John Gareaucht, William Barclay, William Craufurd, Hallibrand Menzies, with sundry others called and summoned as witnesses to the premises.

And I, master John Kennedy, clerk of the diocese of Aberdeen, by holy apostolic authority notary public and common clerk of the burgh of Aberdeen, together with the above-named witnesses, was personally present at all and sundry the said acts and deeds; and saw, understood, and heard and took note that these things, all and sundry, were done; Whereupon this public instrument, faithfully written by another hand, I have executed, sealed and subscribed, being asked and required in faith and testimony of the truth of all and sundry the premises.

XVI.

The Chaplains of the Church of Saint Nicholas resign their possessions in favour of the Burgh. 19*th August*, 1575.

The said day maister Johnne Kennedy procurator and gñall collectour to the cheplains of the paroche kirk of abirdene w^{t} *q*sent and assent of Sir Johnne collesoune maist^{r} eduard meng$_{3}$es Sir James barclay Sir Johnne blak and Sir Wil$_{3}$eam walcar his breither and cheplains only on lyf of the queyr and college of the said bur^{t} compeirit in presens of thomas meng$_{3}$es of petfoddellis prouest of the said bur^{t} and in ꝑsens of the ballies and haill *q*sell of the samȳ bur^{t} and thair ryplie aduysit w^{t} detfull deliberatioune resignit and geff our be ane pēny as vse is in the handis of robert meng$_{3}$es ane of the ballies of the said burght all and haill thair landis fisheingis mailis few mailis and ānuell rentis quhatsūeuir ꝑtenyng to thame in patrimonie and propirtie liand w^{t}in this bur^{t} and w^{t}out the samyn in favouris of the prouest ballies *q*sell and comunite of this bur^{t} thair successouris and assignais quhatsūeuir Reseruand alwais the samyn to the saidis cheplains during thair lyftymes Provyding alwais that gif ony of the saidis sex cheplains quhilkis now are lewand happȳnis to deceis that his p^{t} and pensioun of the saidis landis fisheingis mailis few mailis and ānuell rētis sall returne and remañe w^{t} the saidis prouest ballies *q*sell and comunite and thair assignais quhatsūeuir

The said day the haill toune being lau^{t}fully warnit to this day and *q*peiring personaly in Jugemēt for the maist p^{t} representād the haill body of the toune It was exponit and declairt oppinly to thame be robert meng$_{3}$es ane of the ballies of the said bur^{t} Quhow that the cheplanis of the queyir and college of thair ꝑoche kirk of abirdene hes resignit in his handis in presens of the prouest ballies and haill *q*sell this ꝑsent day all and haill thair landis fischeingis mailis few mailis and ānuell quhatsūeuir ꝑtenȳg to thame in patrimonie and propirtie liand w^{t}in this bur^{t} and w^{t}out the samȳ in favouris of the prouest ballies *q*sell and cōmunite of this bur^{t} thair successouris and assignais quhatsūeuir Reseruād alwais the samyn to the saidis cheplains during thair lyftymes Provyding alwais that gif ony of the said sex cheplains quhilkis now ar leifand happȳnis to deceis that

his pt and pensioune of the saidis landis fisheingis mailis few mailis and ānuell rētis sall returne and remane wt the saidis prouest ballies qsell and comunite and thair assignais quhatsueuir The quhilk the saidis cheplains being psonaly psent ratefeit and approvit in Judgemēt And the said balȝie Inquyrit at thame gif thai uald cōsent and be qtent to resigne renūce and ourgiff the samȳ agañe to the support and vphald of sanct Thomas hospitall fundit wtin this burt besyd thair proche kirk quhill forder supplie and support mycht be maid be thame thair vnto To the quhilkis thai all in ane voce cōsentit and assentit And resignit and renūcit and ourgeff the samyn als frelie as is ptenit to thame in the handis of the said balȝe to the support of the said hospitall and the puir folkis thairof to be ānexat thrto perpetually in all tym cūing wt reseruatioune as is aboune wretin

XVII.

Commissioners appointed by the Community perambulate the Outer Marches of the Burgh, without the Freedom Lands. 22nd September, 1578.

The said day the prouest ballies cōsale and cōmunite of this burt being cōvenit and assemblit upon the cōmonte and fredome of this burt be ane act and ordinance maid thairupoun obefoir to peramble the boundis and limitis throff and to the effect that the psonis of the cōsale quhilks war noīat and chosin of befoir That is to say Gilbert Mengȝes eldar Robert Mengȝes eldar Dauid Mar Androw Buk Alexander Mengȝes eldar Gilbert Gray Johnne Lowsoñ Alexander Cullen Martyn Howesouñ and Androw Huntar togidder wt the remanent psonis that war noīat and electit be the said cōmunite That is to say Alexander Howesone Alexander Forbes Dauid Andersoune maister James Burnet Patrik Mollisoune and Alexander Donaldsoune micht see perambill and cōsidder the wrangis done and cōmittit be the saidis heretable fewaris of the townis and landis wtin the said fredome and thair tennentis in thair names in ryving out teiling and sawing of cornis upoun the townis cōmontie adiacent to the saidis few landis vsing and occupeing the samȳ thir dyuerss ȝeiris bygane sen the setting of the saidis landis heretably in fewferme transgressing thrby the effect tenour and stryntht of thair few chartouris maid to thame

thrupoun and to cognosce and decerne thrintill and to proppe meithe and mȳche the boundis and limitis of propirte of the saidis townis and landis respectiue Quhilkȩ thai sall vse as propirte in tyme cūing and all wrangis done be thame to reforme without preiudice of the valour and stryntht of thair heretabill ryt and fewferme maid to thame respectiue thrupoune And all the forsaidis fewaris being ꝑsonallie convenit vpoune the ground and cōmontie forsaid thair rytis reasonis allegationis and defensis being proponit considerit and vnderstand and dyuerss and sundrie famus witnessis vnsuspect admittit sworne and diligentlie examinat and eftir dew and detfull deliberatioun visitatioune and considera°un of the ground the forsaidis juges all in ane voce to quhom the saidis ꝑsonis was submittit in maner forsaid ffand decernit decretit and delyuerit in maner following

And ferst the saidis visitouris past and begane at the Justice Mylnis and fand that the lonȳg gaitt passand thrfra to the cōmoune pasture on the cōmontie is diminishit and maid narrow and ordanis the samē to be of quātite of the auld passage that the gudis throff may pas to the fredome of the said burt as thai did ofbefoir and that the first mȳche of the saidis Justice Mylnis begȳnis at the graye stane quhair it is pottit and ingrauit the townis cōmoun mȳk vizt ane sauser and swa callit the sawser stane lyand in the burne betuixt the landis of the Justice Mylnis and the landis of Ferrihill and thrfra passing vp the said burne to ane vthir sauser stane ingrauit as said is liand in the myddis of the burne of the Justice Mylnis foirganis the vptreiking of the gaitt that passis to Petfoddellis ascendand bak vp to the bra to the Justice Mylnis for intakin of the lonȳg gait as the samȳ is presentlie proppit and pottit and thrfra ascendand vp linealie to the merche stane vnder the eird of the medow of Rubislaw and haldand the stane linealie quhill it croce the Burne at the mortar bank vnder the south-wast fauld of the towne of Rubislaw and thrfra linealie up the dyk of the said fauld wastwart quhill it cū to the sausar stane in the ground fourtie elnis or thrby wtin the southmest throf and thrfra to the said southmaist nuik and the

betuixt the lang fauld and the burne southt and northt decernit new nouatioun and to ly ley in all tyme cūing as it is proppit and the dyk to be destroyit and cassin doun And thrfra the saidis visitouris past to the towne and landis of Hessilheid begȳnand the first merche throf at the eist end of the corne land liand at the eist end of

the peit moss of Dikynschaw ascendand vp the said moss to ane gryt crag stane at the heid of the samȳ on the southt syd thʳof passand wast-north-wast or thʳby to the Dry Den and thʳfra norᵗ-wast or thʳby as it is carnit quhill it cū to ane gryt sauser stane passand thʳfra north-eist or thʳby till it cū to the norᵗ end of Bachtley besyd the ald stane cott passand thʳfra northt-eist or thʳby haldand the stane dykis till it cū to the end of Leggis Croft in the burne and passand thʳfra northt or thʳby haldand the wynter strype that rynnis be the wast syd of the Nathir Stracht to the heid of the said Nathir Stracht passand eist langwayis the heid thʳoff till it cū anēt the Wellheidis cōtigue and be waist the peit myris in the Kowslak and all the land that lyis be eist the gryt saser stane and wᵗin the saidis m̄chis to ꝑtene in ꝑpirte to the saidis landis of Hessilheid and the corne land be wast the said saser stane to be new nouatioun and to ly ley and to ly in commonty and siclyk all the landis be eist the said Wynter Strype vizᵗ the Nethir Stracht and the corne land be eist the said Welheidis to be new nouatioun and to ly ley and remane in commontie And fra the said towne and landis of Hessilheid the saidis commissionaris juges and visitouris past to the towne and landis of Cuntaswallis begȳnand the first m̄che thʳoff at the burne descendand to the Myln of Petfoddellis and linealie ascendand as the saser staneis ar now maid to the heid of the eistmaist ald corne fald quhair the m̄katt gaitt passis and haldand the heid of the said corne fauld quhill it cū to the strype on the wast syd thʳoff to the saser stane and haldand thʳfra platt wast linealie as the samē is now proppit and carnit to the inland of the Cūtaswellis reseruand the ald faldis in the mvir as thai stand and the haill remanēt labourit teilit and manurit land eistwart wastwart and northtwart to remane in commonte in all tyme cūing and the new cott biggingis of the said towne of Cūteswallis decernit ꝛt ordanit be removit and cassin down betuixt this and Witsonday next to cū and ordanis Alexʳ Chalm̄ fewar of the saidis landis and his tenētis to desist fra forder labouring of the faucht land upon the southmest ꝑt under the hill and the faucht land on the norᵗ syd of the said towne and to ly ley and cōmōty in all tyme cūing and the haill boundis leyis and fauchtis about the ald faldis at the southtwast ꝑt of the Cūteswellis decernit to ly ley and in cōmontie ꝑpetually in all tyme cūing And thairfra passand to the towne and

landis of Gardyn ptenȳg to the said Alex^{r} Chalm^{r} the saidis judges and visitouris decernit ℸ ordanit the smythis houss to be removit and the ȝaird th^{r}off to be laid waist betuixt this and Witsonday nixt cūis and als ordanis the spott of brunt land on the south syd of the moss of the Gardyne to ly ley in cōmontie and the grene ley betuixt the moss and the towne of Gardyne togidd^{r} w^{t} the haill grene ley with^{t} the ald dykis to ly in commontie in all tyme cūming with^{t} the buittis rewin out under the faldis on the sou^{t} syd th^{r}of to ly waist and als decernis the thre peces of corne land of the towne and landis of Bruther-feild liand narest and cōtigue to the Burne of Breddeacht to ly in cōmontie in all tyme cūing And thairfra the saidis juges and commissionaris being convenit upon the ground of Kȳgyshill to perambill the merchis th^{r}off requyrit Alexander Chalmer fewar of the samȳ to ryd his merchis and to preif and verifie the samȳ quha being psonalie present ansurit he had no^{t} his witnessis present bot desyrit ane day to be assignit to him to verifie and preif the samȳ and affixit to him at his awin desyr the sevȳtene day of October nixt to cū to verifie and preiff the samȳ and the said Alex^{r} betuixt this and the said day to gif ane offer th^{r}of to the towne And thairfra the saidis commissionaris judges and visitouris past to the towne and landis of Kīgiswallis begȳnand the first merche thairof at the saser stane besyd the Wellheid quhairout the Den Burne rȳnis and proceidis lincalie descendand eist to ane vthir saser stane and th^{r}fra ascendād linealie nor^{t} fra the said saser stane to ane vthir m̄che stane at the m̄cat gett and haldand the m̄kat gett eistwart quhil it cū to an vthir eird fast stane in the said gett now saserit and th^{r}fra ascendand north-wast to ane karne and fra that carne to ane vthir carne and th^{r}fra keipand the gett plat waist be the gait side to ane vther saser stane at the nuik of the fald and th^{r}fra haldand the said gett wastwart to ane saser stane in the said gett and ȝit ascendand the hie gait ry^{t} wast to ane eird stane pottit and saserit at the syd of the ald loune dyk of the Intoune and frathynfur^{t} haldand waist to ane vther saserit stane at the stane ȝard Dyk quhilk ȝard dyk the saidis judges and visitouris decernit ℸ ordanit to be cassin dovne and laid waist at the feist of Witsonday nixt to cū and als decernis and ordanis the corne landis be nor^{t} and w^{t}out the saidis m̄chis to ly in cōmontie and the new houss theikit w^{t} dowat and the ȝard th^{r}off decernis to be removit simple ℸ laid waist at Witsonday nixt

to cū and passand fra the saser stane in the Swiffwrichtis Croft linealie nort-wast as the saser staneis lyis quhill it cū to the Welheid quhair it is carnit and thrfra discendand linealie southt as it is pottit to ane saser stane beside the Ailhouss and thairfra to ane Welheid at the bak of the ȝard of the said Eilhous Croft and thrfra enterand in the markat gett corsand the said gett southt-waist and the stane dyk to ane vthir eirdfast stane now saserit quhill it enter in the moss and all be southt northt and wast the said moss aboun the gait and under the samȳ (except the Caird Hillok) quhill it cū to the Burne of Breddeacht to ly in commontie and decernis the haill biggingis thrupoun to be removit ꝛt cassin doun and als ordanis the outseyttis biggit on the nort syd of the said gett and wast syd of Bogfarlay quhair Gilbert Banerman duellis to be removit and cassin doun betuixt this and Witsonday and to ly ley in commonte in all tyme cūing and als decernis the haill housseis to be fillit And eftir the mething and merching of the said towne and landis of Kyngis-vallis the saidis judges ꝛt visitouris past to the towne ꝛt landis of Tullot and thair fand new nouatioun of cornis fra the Flokwelheid southt betuixt Tullot and Bogfarlay and ordanis the samȳ to ly waist in tȳ cūing as commontie and the corne land be northt the said Grene Ley quhairin thair is ane saser stane at the quhilk Welheid thair is ane new maid saser stane and als decernis the Muir betuixt the said Welheid and the Auld Grene and the Ald Grene Ley quhar thair is ane vthir sasar stane to ly cōmontie and the corne land be northt the said Grene Ley quhairin thair is ane saser stane to ly in cōmonte in all tyme cūing and thrfra the haill landis beneth that den to the heid of the Blak Burne to ly in comontye except four buittis at the wast pt of the Tullot upon the Blak Burne ege fornēt Kȳmūdeis and thrfra begȳnand at the nort syd of the Wayne Furd quhair thair is nyn buittis of corne land ptenȳg to the fewaris of the said towne of Tullot in propirte as thai ar pottit and the haill remanēt to be and remane as cōmontie and thrfra keipand the ald corne fald dykis quhill it cū to the ruiff quhair the saser stane is maid in the syd of the said ruiff And the saidis juges and visitouris passād fra the said toun and landis of Tullot and being assemblit vpon the townis and landis of Bogfarlaye ffyndis and decernis the haill corne land at the wast pt of the Cloghill except fyve buittis in the resk and twa faldis callit the Pluverane Ley at the south syd of the said hill new nouatioun and

ordainis the samē to ly ley as cōmonty in tyme cūing and siclyk the new stibill land w^t^out the laicht brig to be new nouatioun and the haill new land w^t^out the new maid saserit stane w^t^out the fald dykis of the Cloghill at the northt wast p^t^ of the Cloghill to ly ley and in cōmontie to ane vther saser stane w^t^out the Slak and th^r^fra our the straitht to the fald nuik to ane gryt stane quhairin is ingrauit ane saser at the heid of the Ra Den Fald and fra the said stane haldand eist the fald dyk quhill it cū to the ley at the eist nuik thairoff and th^r^fra corsand the said ley to ane new maid saser stane at the heid of the samȳ and als fyndis the haill landis of the Cloghill to be new nouatioun except ane ald fald upon the heid th^r^off as the said fald is merchit and pottit w^t^ saser staneis and fra the said stane at the heid of the said four riggis of ley haldand the ald fald dykis nor^t^-eist quhill it cū to the saser stane at the wast nuik of the Mure Fald of the Intoun of Cloghill and th^r^fra ascendand northt linealie keipand the heid of the faldis to the new maid saser stane and litill pece w^t^in the heid of the ley and th^r^fra descendand linealie eist to the saser stane at the nuik of the litill fald and th^r^fra discendand linealie quhill it enter in the moss and all the rest beneth the corne land w^t^out the Welheidis on the eist syd betuixt that and Schedokisley to ly in comontie except the Law Bog And fra the said toun and landis of Bogfarlay the saidis judges ȝ visitouris past directlie to the toun ȝ landis of Schedokisley begȳnand the mchis of ppirte th^r^off at the saser stane in the nor^t^ p^t^ of the Bogfald and besyd the Caldwell passand th^r^fra linealie wast as the samȳ is pottit to ane uth^r^ eirdfast stane saserit and fra that to ane uth^r^ saser stane at the wast end of the moss and th^r^fra southt as it is saserit And thairfra the saidis juges and visitouris past to the towne and landis of Frosterhill and thair decernit ȝ ordanit the wastmest houss w^t^ the ȝard th^r^off to be removit betuixt this and Witsonday nixt cūis and the west corne riggis to ly commontie in tyme cūing and decernit the fald betuixt it and Caprastoun new nouatioun and to ly ley and commontie in tyme cūming and the pece faucht land w^t^out the faldis at the eist syd of the gait to ly in commontie and the haill w^t^out the Dene Fald to the likarstane to ly commontie quhill it cū to Cabrastoun and als fyndis new nouatioun maid be the fewaris ȝ tennētis of the Cruvis on the hill syd at the sou^t^-eist syd of the Cruvis

of the Grene Welheidis and the haill corne land betuixt the Cruvis and the Cottoune fyndis new nouatioun

And the haill fornamit townis ⁊ landis being proppit methit and merchit in the boundis ⁊ limitis of propirte in maner ⁊ way as is aboun rehersit the saidis juges visitouris ⁊ commissionaris for the reformatioun of the wrangis committit w^t^in this bur^t^ and at dyuerss partis of the gaittis and commoun passageis passand and cūand th^r^fra past and begane at the Bowbrig quhair thair is ane new biggit barne ptenȳg to Androw Gothray quhairof thair is four fut of the lyntht takin in and fyve fut of the ȝard quhilk the saidis juges and visitouris ordanis ⁊ decernis to be demoliscit and ane free passage to be betuixt the said barne and the Den Burne in all tyme cūing as it is pottit ⁊ merchit and als decernis the litill houss vpon the gavill of James Kayis houss to be cassin doun and the said James stair to be biggit on himselff and als inhibitis Androw Gothray to big ony stair or galry vpon the eist gavill of his new biggit houss decernis alsua the litill houss of Jonat Chene biggit on the kȳgis hie gett to be cassin doun and siclyk ordanis the houss of Johnne Kay p̄sentlie begun to big contigue adiacent to the said Den Burne to be demolescit and ane free passage to be th^r^fra quhill it cū to ane saser stane quhilk devydis the Blak Freiris Croft fra the ȝard of George Watsoun and ane passage of four fut to be betuixt the said croft and the said ȝard and thairfra passand linealie northt to ane uthir saser stane and decernit the haill breis betuixt the Dukat and the Corbie Well on the wast syd of the said Den Burne to remane in commontie as it did befoir and passand fra the last saser stane to the northt-west nuik of the dyik of the said Blak Freris Croft Begȳnand at the southt-eist nuik of Martyne Howeson Croft quhill it cū to the pottit merche and th^r^fra to ane new saser stane and frathyn as it is pottit directlie northt to ane vther eirdfast stane now saserit and th^r^fra direct wast as it is pottit linealie quhill it cū to the Cragwell Croft ptenȳg to Mr Gilbert Bisset and th^r^fra linealie wast to the stane dyk on the sou^t^ syd of the gait that passis to Rubislaw quhill it cū to ane saser stane on the southt syd of the said gett And thairfra the saidis juges ⁊ visitouris past to the croft callit Hardweird ptenȳg to Alex^r^ Cullen begȳnand at ane new maid saser stane on the wast syd of the dyk of the said croft as it is pottit quhill it cū to ane vther saserit stane and th^r^fra to ane slottit stane and frathyn to ane pottit m̄che and fra the said pottit m̄che linealie eist keipand the

heicht of the bra as it is pottit to ane gryt stane new saserit and fra that the saidis visitouris past to the Blak Freris Yard passand linealie to ane saser stane at the Cluiss Heid on the wast syd of the said burne and thair viseand Androw Rais bark pottis ordanit the samȳ to be fillit wᵗ eirtht wᵗin fourtie dayis eftir the dait heirof and siclyk decernit ꝛ ordanit the bak dyk of Alexʳ Anderson litster to be cassin doun and biggit equiualent wᵗ the rest of the bak dykis on the wast syd of the Gallowgett and siclyk decernis ꝛ ordanis Hedonishill on the eist syd of the said Gallowgett wᵗout the Gallowgett Port to ly grene ley and in commontie in all tyme cūing as it is methit proppit ꝛ pottit fra the nuik of Neilie Powis yard ꝛ land and ordanis ane passage fra the said port round about the hill of four space and the litill hillok on the eist end of Thomas Philppis barne to remane in all tyme cuming ane grene hillok onlabourit fre about as the samē is pottit ꝛ methit decernis alsua the gaitt passand fra the Cruvis behynd the said burght vpon the norᵗ syd thʳoff quhill it cū to the Theiffis Port to be tuelff fut of breid at narrowest pᵗ of the said gett and swa to stand ppetually in all tyme cūing and decernis the croft ptenȳg to Dūcan Donaldson liand on the northt syd of the Butefield behynd the Gray Freiris to be ꝛ remane wᵗin the boundis and methis begȳnand at the north-wast nuik passand linealie eist as it is pottit methit ꝛ merchit and alsua ordanis the haill pprietaris of the Cuttingis behynd the Gray Freris fra Johnne Lowsoun rig quhill it cū to the buittis behynd the towne to be warnit to pduce thair ald Infeftmētis betuixt this ꝛ m̄times nixt to cū and siclyk ordanis Alexʳ Cullen to exhibit his titill of the pece ground ꝛ land behynd the eistmest buitt betuixt this ꝛ m̄times nixt and the said Alexʳ croft on the northt syd of the said burght to be labourit ꝛ occupeit wᵗin the boundis proppis and methis proppit and pottit be the saidis judges and visitouris and thairfra the saidis judges and visitouris past to the Castelhill begȳnand at the northt syd thʳoff and decernit the litill houss sett out be ādrow Jak liand nixt the said Castellhill to be dimoliscit and als fyndis that the said Androw hes done wrang in the bigging of his gavill of the wast houss five fut in vpon the Castelhill and in likwayis in bigging of the barne and kyll besyd the samȳ upon the boundis of the Castelhill and decernis ꝛ ordanis the said Androw Jak to big his ȝard four fout within the traveis of tȳmer as it standis quhilk traveis thai ordanit to be dimolis-

chit and the said dyk to be biggit wᵗin the samen four fout as said is and decernis and ordanis the Myddingis betuixt the buittis upon the northt syd of the Castelhill to be removit within tuētie dayis under the pane of fourtie s to be uptakin and liftit of the unlaw of euerie mydding in case the samyn be noᵗ removit as said is and escheting of the fulȝie the said xx. dayis being bypast and siclyk decernis and ordanis the croft callit the Sow Croft ꝑtenȳg to Johnne Donaldson to be labourit and manurit wᵗin the boundis as it is ꝑsentlie proppit pottit and merchit and the hie gett passand direct eist to the Lynkis betuixt the croft of the said Johnne Donaldson and the croft of the cōstabill of Abirdene quhill it cū to Futteis Myre to be fyftene futtis of breid in all ꝑtis in all tyme cūing and decernis the ȝard biggit be Williā Ronaldson fra the northt cūȝie of his houss to be dimolischit linealie as it is pottit and decernis ꝛ ordanis the cuttingis be eist of the towne of Futtie to remane ley and linkis as thai ar pottit ordanis Sanct Clementis Kirk Yard to remane ley in all tym cūing as it is pottit ꝛ merchit decernis Garwakis Wynd to be tuelff fut breid and tuelff space at the eist end thʳoff in all tȳ cūing and fand decernit ꝛ declarit that the haill groundis of the landis aboun wretin quhairupoun the cornis war sawin of new nouatioun upon the places ꝛ boundis aboun wretin wᵗout the boundis of propirte afoir limitat to ꝑteine to this burght communite ꝛ comonte thʳoff as Justlie ꝑtenȳg to thame to ly ley onlabourit as cōmontie in all tyme cūing and ordanis thame to desist ꝛ ceis fra all forder occupatioun of the samȳ in all tȳ cūing and that the Merches aboun wretin of the townis ꝛ landis aboun specefeit aucht to stand as ꝑpetuall Merches of ꝑpirte in all tyme cūing

Quhilk declaratour decreit and ordinance the prouest ballies ꝛ cōsale aboun wretin acceptit ratefeit approvit cōfermit and ꝑnūcit thair decreit and sentence cōforme thʳto fyndand the haill ground and landis of new nouatioun forsaid maid be the saidis heretable fewaris thair tennētis in thair names upon the townes commontie adiacent contigue to thair saidis landis at the placeis and ꝑtis afoir specefeit wᵗout the methis ꝛ merchis of propirte befoir limitat to ꝑtene justlie to this burght commontie and communite thʳoff and to ly ley onlabourit in all tyme cūing ꝛ that the methis and m̃chis of propirte respectiue aboun specefeit sall stand as ꝑpetuall merchis of ꝑpirte in all tyme cūing

XVIII.

Commissioners nominated by the burgesses and by the craftsmen of the burgh define the privileges of these bodies. 7th July, 1587.

At Abirdene the sewint day of Julii the ȝeir of god Mv^{c} fourscoir and sewin ȝeiris WE ALEXANDER CULLAN Dauid Mengȝes bailleis of the bur^{t} of abirdene and alex^{r} forbes burges of the said bur^{t} cōmissionaris electit and nōiat be the prouest bailleis counsaill bretherene of gild of the said burght on the ane p^{t} and george elphinstone deacon convenar alex^{r} ronaldsone baxster Johun tailȝo^{r} cōmissionar chosin electit and nōiat be the haill craftismen fremen of the said bur^{t} on the vther part AND M^{r} alex^{r} chene persoun of snaw and comiss^{r} of abd odmā and o^{r}mā equalle chosin be the saidis cōmissionaris anent the decisioun of the *q*trauersie efter sp̄eit betuixt the saidis cōmissionaris for the saidis pteis THAT is to say fforsamekill as the saidis cōmissionaris haueand sufficient power of bay^{t} the parteis foirsaidis ar finalle appointit and aggreit vpone all and sindrye the headis efter following And first to tak away all difference qlk hidderto resultit vpoun the admissioun of fremen of craft and for the estabilissing of ane perpetuall ordo^{r} thairanēt WE ORDANE and declairis all personis willing to be maid fre and incorporaī to the fraternite of ony craft That thay sall first present thame selff to the prouest bailleis and counsaill to be maid fre burgess of the said burght and gif thai meayne to leif be th^{r} said craft the saidis prouest bailleis and counsaill and deane of gild befoir ony forder proceiding sall remit the intrant be thair testimoniall to the deacone and maisteris of craft profess^{t} be the said Intrant to be examinat be thame And being examinat and no^{t} fund qualefeit salbe repellit baith fra the suit of burgess ship and fremanship of the craft foirsaid bot be the contrar gif thai be fund qualefeit be the said deacone and fremen of the said craft reportand to the prouest bailleis and *q*saill and deane of gild ane sufficient testimoniall vpoun thair conscience of the intrantis qualefica^{o}un and habilite Than and in tha^{t} caice they salbe admittit aggreand for the freedome of the burgeship according to the antient vse and laudable consuetud of the said burght PROUYDING that this claus viz secundum libertatem sue artis or sicklyk wordȩ signifeand oderis restrictionis be no^{t} insert in thair testimoniall bot

that the same be ðne admissus in burgensem tātummodo And thairefter no^{t} w^{t} standing of the qlk admissioun the said interant sall no^{t} haue place to work nor excerceis his craft vnto the tyme he report his testimoniall of the saidis prouest bailleis and deane of gild vnder the subscriptioun of the toun clark that he is admittit to be burges and pressent the same to the deacone and maisteris of that craft quha thairefter sal compone w^{t} the intrant for the fredome and fre licence to excerceis the craft And be ressone sum doutis resultis anēt the saidis cōmissionaris concerning the compositioun of intrant It is finalle aggreit be the saidis cōmissionirꝭ and decernit be thame that the saidis compositionis and Bankatis be maid efter the auld vse and custume and no^{t} efter the will of the intrant BOT BECAUS consideratioun aucht to be haid dyuerslie efter the estait and conditionis of dyueris ꝑsones suitaris of the fredome To wit gif the intrant be the eldest sone of ane free burges or ȝit the eldest sone of ane fre craftisman that hes passit thair prentischip w^{t}in the said burght of Aƀd he salbe fre w^{t} the craft for the bancat onlie bot the rest of m̄chandis sones or fre craftismenis sones that hes passit th^{r} prentischip within the said burght of abirdene sall pay fourte s o^{r}head w^{t} the bancat as obefoir allanerlie AND ALL PRENTESIS learning w^{t}in the said toun and ȝit being ane forane or borne out of the said toun as also thai that ar no^{t} freemenis sones suppois thai be borne w^{t}in the toun sall pay ten markis o^{r}head w^{t} the bancat for thair fredomes to the deacone and bretherene of thair craft Sicklyk outlandis craftismen that ar nocht borne burgesſ sones or fremenis sones of the said bur^{t} nather hes past prenteiſ w^{t}in the same bot hes learnit thair craft in ony vther place nor w^{t}in the toun They sall pay to the deacone and maisteris of thair craft for thair fredome at the least tuentie markis money foirsaid w^{t} the bancat as saidis And decernis the compositioun of the money foirsaid for the fredome as is aboue expreamt to be delyuerit and payit to the deacone of the craft he to be ansurabill for the twa ꝑ^{t} of the same to the dean of gild and to delyuer the same to him for to be waired and bestowit vpoun the aid support and help of the cōmoun charges of the toun accordying to the directionis to be given to the prouest baillies and counsaill of the said burght to him thairanent And the third ꝑt of the saidis cōposissionis with the bankatis foirsaid to be distributit and bestowit

at the plesor of the deaconis of the craftis and thair bretherene foirsaid fremen of the said craftis And sicklyk the twa pairt of the compositionis of the entres of euerie prenteis qlk is the soume of tuente s the twa pt thairof to be delyuerit to the dean of gild and the third pt to the deacones and maisteris of craftis to be vsit in maner and to the effect abouc exprimit SECUNDLIE we the saidis comissionaris for bayt the pteis hinc inde decernis and ordanis that the saidis craftismen sall not meddle ut na kynd of forane nor oursie wairis bot to haue thair skair of timber conforme to vse and vont and of salt samekill to serue thair houss all anerlie AND as concerning the bearing of offices of magistratis sic as to be prouest bailleis deanis of gild and thesaurar WE DECERNE that na craftisman sall aspyr tharto vnto the tyme that thay be premotit to be bretherē of gild but preiudice allwayis that it sall be lissum to the saidis craftismen to chuis sax personis of thair awin number 3eirlie to be vpoun lytis of quhom the counsall sall cheis twa thairof 3eirlie quha sall haue place wt the rest of the ordinar auditorę to heir and see all and sindrie the townis comptis bayt of properte and casualiteis THIRDLYE in respect that gryt contrauerseis hes bein at all tymes betuixt the saidis parteis concerning the vsing of the trafique and exerceis of all kynd of m̄chandreice in generall or in speciall permissabill or notht permissabill to the craftismen quhairanent we the said cōmissionarę for the prouest bailleis and bretherene of gild willing all matteris debaitabill to be satlit and put to rest ar content to grant the saidis craftismen lyk as be the tennor herof grantes to thame the fre vse and traffique of barking of ledder lying of buttir victuall cheis scheip and nolt lyme collis carsayes plaiding raw clayt hiland grayis mantling and linning claithe and to sell and top the same in all partis within the realme of Scotland als frely as merchandis bretherene of gild dois AND forder permittis to thame the traffiquin of littil clayt qlk is maid wtin thair awin hous allanerlie and na vtherwayis Off the quhilkis speciallis grantit in maner foirsaid the saidis craftismen not being contentit in respect the same wes not sufficient recompanis as thai allegit to thame for thair refusall of all kynd of oursie and forane m̄chandreice Lyk as be the tennor of thir pñtis us the cōmissionaris for the saidis craftismen refuss the same wt dyueris vtheris preuilegeis grantit to us and the remanent craftismen be oure

souerane Lordꝭ dispositioun vnder his maiesteis gryt seill so that us and the saidis craftismen and our successorꝭ micht Juioiss frie liberteis to trafique onlie wᵗ all kynd of scottis wairis but stop or impediment to be maid to us be the saidis prouest bailleis and brether of gild in tymes cūing and forder contentioun appeiring for to esuew to the Inquietnes of the cōmoun wealth of the said burght The prouest bailleis counsaill and brether of gild being movit wᵗ naturall pitie to put the saidis craftismen being memberis of thair awin cōmounwealthe fra forder trubill on the ane part and the saidis craftismen as nichtborꝭ willing with detfull reuerens to obey thair saidis Magistratis war content on the vther part to refer the samye to us commissionaris hinc inde reẍue foirsaidis with powar to ws in caice of discord to chuis ane oʳmane to decerne [thairanent as] he sall think guid And efter ressoning maid hinc inde thair vpone we the saidis cōmissionaris haueing powar and cōmand of baith the saidis ꝑteis in maner foirsaid hes referit lyk as be the tennor of thir ꝑntis referris the decisioun of the said ꝙtrauersie formit efter followis to Mʳ alexʳ chene persone of snaw and cōmissar of abirdene according to the tennor of the designatioun within wretin viz quhidder gif besyd the former thingis aggreit and grantit to the saidis craftismen &c The Counsaill and bretherene of gild sall grant the libertie of all scottis wairis be nōiation of sum speciallis and excluiding the craftismen from the rest or gif thaī sall grant to the saidis craftismen the libertie of all scottis wairis in gñall reserwand certaine speciallis to thame selffis AND I THE said Mʳ alexʳ chene efter the acceptatioun off the samyne haueing hard and considerit the ressonis and allegationis maid be the said cōmissionaris hinc inde for bayᵗ the ꝑteis foirsaid The name of the Lord callit to quhom I man be ansurabill this day and the day of iugement FINDIS that fforsamekill as the merchandis and bretherene of gild hes the prerogatiue and dignite far aboue the saidis craftismen in sic sort as thay haue powar to call and accuse and caus thame be ꝙuictit and correctit for the transgressioun of all and sindre the pointis of euery thing ather grantit or notht grantit to thame quhairbe the contrar the saidis craftismen hes notht the lyk powar at all to call accuis or persew the saidis m̃chandis bretherene of gild for bying selling or topping ather of oursie and forane wairis or ȝit of scottis wairis guidis or geir considering

that all kynd of merchandrice quhatsumeuir is fre to the said bretherene of gild uithout questioun or contrauersie Bot namly becaus the saidis craftismen hes consentit and aggreit to gif and delyuer the twa part of all the compositionis as is afoir exprimit maid and givin to thame for the admissioun of all fremen and ressaueing of all prenteisis to thair craftis reẽue foirsaid to the dean of gild for to be bestowit be him vpoun the cõmoun charges of the toun as is aboue rehersit quhairbe the ꝗtrar the saidis craftismen micht haue imployit the samyne to thair awin ꝑticular vois as thai had vont to do in tyme past AND thairfoir I the said M^r^ alex^r^ chene w^t^ consent and assent of the saidis cõmissionaris electit and chosin for bayth the saidis parteis PRŌUNCIS and decernis that the counsaill sall grant lyk as be the tennor herof grantis to the saidis craftismen and thair successorꝭ the gñall libertie of all scottis wairis by and atto^r^ the thingis grãtit to thame as saidis to by and sell the same vniuersallie w^t^in the realme of scotland as thay sall think expedient reseruand speciallis to the saidis bretherene of gild thame selffis and specialle the heidis wairis and forme thairof as efter followis secludand the saidis craftismen and thair foirsaidis thairfra foreuir viz that it sall no^t^ be lisum to ony of the saidis craftismen or thair foirsaidis to haue the handling of ony steppill guidis stappell guidis [*sic*] quhidder the same be scottis or forane wairis Bot that the onlie vse of handling of the samyne That is to say packing and peilling of fische hyddis skin and woll sall properte apertein vnto the m̃chandis bretherene of gild allanerlie but prẽiudice allwayis to the saidꝭ craftismen that thai be notht stoppit to by and sell the said wairis in smallis in ony part within the realme as saidis And the saidis craftismen in speciall to by sell and top samekill woll as thay sall caus be wrocht reẽue in thair houss̃ AND sicklyk reseruis to the saidꝭ bretherene of gild to haue the onlie powar to transport scottis wairis in schippis boitis other be see or be land in forane cuntreis thairto trafique thairw^t^ And the saidis craftismen not to haue power to do the samyne nather directlie nor Indirectlie PROUYDING allwayis that it preiuge notht the saidis craftismen and thair foirsaidis to trafique by sell and top all maner of scottis wairis in gñall (except as is befoir exceptit) w^t^in the realme of scotland and thai newer to be callit accusit nor cõmitit for the samyne bot to be frie thairto as saidis And but preiudice

of the liberte and preuilege of leddir barcaris in bying of sich hyddis in all partis within the realme and barking and selling of the samẽ as saidis and preuilege of couparis according to auld vse and vonnt PROUIDING ALSO that gif it sall chance the saidis craftismen and thair successorꝭ to be teachtit and learnit in making of uolnes seatingis silkis taffeteis or ony kynd of stuf that hes notht bein maid of auld wᵗin the realme of scotland bot of lait throw the incūing of strangaris wᵗin the cuntrie That it sall notht be lisum to the craftismen to sell the samyne except it be thair awin handie wark and that in haill peices dispensand alwayis wᵗ thame to sell and top in small or gryt thair said handie wark of seyis worseitꝭ linningis and singill sergis but stop or impediment And anent the transgressioun of the saidis pointis or ony of thame befoir rehersit gif it sall happin ony of the saidis craftismen and thair foirsaidis in tymes cūing to be callit and accusit for the transgressioun of the headis and pointis afoir inhibeit to thame as is aboue exprimit thay being ꝙuict thairfoir to be vnlayit according to the antient lawes of the said burght PROUIDING allwayis that it sall notht be lisum to ꝙdeme the allegit ꝙtrauenar vpone ane bair suspitioun in ony sort bot be sufficient tryall maid and hed be witnesꝭ onsuspect and ondefamit ather m̃chand or craftisman purgeing thame selffis be thair corporall ayᵗ of partiall counsaill And finallie it is ordainit that bathe the saidis ꝑteis merchandis and craftismen present and to cum inviolabilly obserue fulfill and keip this present appointment and decreit of euerie head claus ꝛt artikill thairin continit Lykas we the saidis cōmissionaris and ourᵉmen foirsaidis ordanis thame to do the samẽ and the pratique and executioun thairof to be and begin the day and dait of thir pñtis and to continew as ane perpetuall law in all tyme cūing AND for the better obseruing keiping and fullfilling of the premisꝭ we the saidis cōmissionaris and ouermā ar content and consentis that the designatioun wrettin on the vther syd thairof and this present decreit be insert in the buikis of counsaill off abirdene as also in the cōmisseris buikis of abirdene alsweill ad perpetuā reⁱ memoriam as also to have the strynthe of ane confessit act and Judicall decreit wᵗ executoriallis of poinding and horning the ane but preiudice of the vther to pas thairto vpone ane chingill chairg of four dayis warning And forder ordanis that the p̃rores and

mandatis givin to the saidis cōmissionaris be reg̃rat in the saidis cōmisser^{s} buikis in lyk maner ad perpetuā rei memoriā and gif neid beis consentis that ane act of pliament salbe procurit for ratificatioun and approba^{o}un of this p̃it appointment and decreit for to stand as ane perpetuall law betuixt the parteis foirsaidis and thair successor^{is} rex̃ue for euer And to that effect constitutis and ordanis discreit men &c. and ilkane of thame *q*iunctly and seueralie our lawfull and ondouttit prör To compeir for us and in o^{r} names befoir the said cōmisser prouest bailleis foirsaid as also in p̃ns of the Lordis of pliament to the effect foirsaid promitten de rato &c. IN WITNESS of the quhilk the saidis cōmissionaris and omā in signe and takin and forteficā^{o}un of our decreit and appointment foirsaid hes subscruit the same as efter followis day ȝeir and place foirsaid Befoir thir witness Maisteris george barclay richart Irwing gilbert bissat Johne kennedy robert paip thomas mollysone James dauidsone and James ogstone not̄is publict Sic subscribitur alex^{r} Cullan cōmissionar w^{t} my hand dauid mengȝes cōmissionar w^{t} my hand alex^{r} forbes w^{t} my hand george elphinstone saidlar Johne duncane tailȝor and alex^{r} ronaldsone baxsteris w^{t} our handis at the pen led be the notaris vnder wretin at o^{r} cōmādis becaus we cā noth wret ourselffis Ita est mag̃r robertus paip notarius publicus ac testis in premiss̄ de mādatis dictorū alexandri ronaldsone georgii elphinstone et Joānis duncā scribere nescieñ ut asseruerunt ad hec manu sua rogatus et requisitus per dictos cōmissarios Ita est alex^{r} donaldsoun conotarius in premiss̄ rogatus et requisitus per dictos cōmissionarios ad hec manu propria Master alexander chene cōmiss^{r} of abirdene w^{t} my hand.

XIX.

Omnibus hanc cartam visuris vel audituris Magister Alexander hay Clericus Senatus et Consilii S. D. N. Regis ac hereditarius proprietarius

XIX.

Mr. Alexander Hay mortifies to the provost, baillies, etc., feuduties amounting to £27 8s. 8d. Scots for the upkeep of the Bridge of Don. 1st February, 1605.

To all who shall see or hear this charter, Master Alexander Hay, Clerk to the Parliament and Council of our sacred lord the king, and heritable proprietor

omnium terrarum feudifirmarum et annuorum redituum olim ad Capellanos seu vicarios chori ecclesie Cathedralis Abirdoneñ spectañ eternam in domino Salutem. Noueritis me Pro zelo motum in honorem dei Omnipotentis et vt sustineatur policia huius regni in hac parte, Et quia annales testantur pontem lapideum super aquam de Done Prope burgum de Abirdene Constructum fuisse ex mandato et impensis Quondam Invictissimi principis Roberti Brucii scotie Regni optime memorie Regis qui partim Iniuria temporis partim quod Nulli annui proventus suppetant vnde sustineatur ad interitum perduci videtur, Et quia plurimum Interest toti boreali parti Prefati regni presertim Ciuibus dicti burgi Ne antiquū illud Monumentum corruat Et ex aliis causis rationi consonis animum meum ad hoc moueñ Itaq; donasse concessisse alienasse et hac pñti carta mea confirmasse Tenoreq; pñtium donare concedere alienare et hac pñti carta mea Confirmare Preposito balliuis consulibus et Communitati dicti burgi de Abirdene et eorum successoribus Totas et integras firmas feudifirmarias et annuos redditus meos subscriptos annuatim leuañ et precipieñ ad

of all the lands, feuduties, and annual rents formerly belonging to the chaplains or vicars of the choir of the cathedral church of Aberdeen, eternal greeting in the Lord. Know ye that I, moved by zeal for the honour of Almighty God, and for the maintenance of polecy* in this part of the kingdom, and because history testifies that the stone bridge over the water of Don, near the burgh of Aberdeen, was built by command, and at the expense of, the deceased most invincible prince, Robert Bruce, king of the kingdom of Scotland, of most excellent memory, which bridge, partly by the injury of time, partly because there exists no annual provision for its maintenance, seems to be falling into decay; and because it greatly concerns the whole north part of the foresaid kingdom, especially the citizens of the said burgh, that that ancient monument should not come to ruin; and for other reasonable causes moving my mind hereto: Therefore, I have given, granted, alienated, and by this my present charter confirmed, and by the tenor of these presents do give, grant, alienate, and by this my present charter confirm, to the provost, baillies, councillors, and community, of the said burgh of Aberdeen, and to their successors, All and whole my feuduties and annual rents underwritten, annually leviable and receivable at

* See p. 56.

terminos consuetos de terris et croftis subscript̃ Viz Annuam firmam feudifirmariam quatuordecem librarum vsualis monete Regni scotie de croftis subscriptis debitam olim Mg̃ro Roberto Lumisden de clova[t] incumbeñ et nunc ad alexandrum culeñ burgeñ de Abd hereditarie spectañ Iaceñ infra territorium croftarum burgi de Abirdene viz vna crofta vocat̃ adiepingill Iaceñ inter croftam quondam Alexandri gray ex australi Croftam quondam Iohannis cheyne ex boreali communem viam regiam ex orientali et Lie cruiket myir ex occidentali partibus Ac alia crofta terre nuncupat̃ lie Langrig inter croftam quondam andree Brabner postea Alexandri Mollisoun et nunc Alexandri Kempt ex australi Croftam olim fratribus predictoribus incumbeñ ex boreali Communem viam regiam ex orientali et dictum lie cruiket Myre ex occidentali partibus, Et alia crofta Iaceñ prope domum leprosorum inter croftam quondam Mariote Vmphray nunc ad collegium regale de abirdene spectañ ex australi croftam quondam Iohannis Wear ex boreali Communem viam regiam ex orientali et lie calsey myir ex occidentali partibus, Ac alia crofta prope lie spittel hill inter croftam dicti quondam Iohannis Wear ex

the usual terms from the lands and crofts underwritten, viz.:—An annual feuduty of fourteen pounds usual money of the kingdom of Scotland, due from the crofts underwritten, belonging formerly to Master Robert Lumsden of Clova, and now heritably pertaining to Alexander Cullen, burgess of Aberdeen, lying within the territory of the crofts of the Burgh of Aberdeen, viz.:—One croft, called Adiepingill, lying between the croft of umquhile Alexander Gray on the south, the croft of umquhile John Cheyne on the north, the king's common-way on the east, and the Cruikit mire on the west parts; and another croft of land, called the Lang rig, between the croft of umquhile Andrew Brabner, afterwards of Alexander Mollisoun, and now of Alexander Kempt, on the south, the croft formerly belonging to the preaching friars on the north, the king's common-way on the east, and the said Crooked mire on the west parts; and another croft, lying near the lepers' house, between the croft of umquhile Mariota Umphray, now belonging to the King's College of Aberdeen, on the south, the croft of umquhile John Wear on the north, the King's common-way on the east, and the Calsey mire on the west parts; and another croft, near the Spital hill, between the croft of the said umquhile John Wear on the

australi lie spittel hill ex boreali Communem viam regiam ex boreali [*sic*] et lie calsey myir ex occidentali partibus, Ac alia crofta vocat fill the cop per quondam Mğrum adamum gordoun fundaĩ Iaceñ prope lie theiffis briggis inter croftam dauidis Mar ex australi et orientali partibus Croftam olim dictis fratribus predicatoribus pertineñ ex boreali et cõem viam regiam ex occidentali partibus Item aliam firmam feudifirmariam nouem librarum monete predicĩ de terris quondam mğri Alex^ri^ galloway rectoris de Kinkell vocat Crynis Wallis nunc thome quhyit naute burgeñ dicti burgi incumbeñ Iaceñ in territorio de futtie infra libertatem dicti burgi inter terras dauidis andersoun ex boreali terras vocaĩ thrie lang riggis ex australi fluxum Maris ex occideñ [*sic*] et terras quondam Iohannis Mar ex occideñ partibus, Et de dictis terris vocaĩ thrie lang riggis Iaceñ ex australi parte de lie auldwallis inter terras dicti dauidis andersoun et terras Andree Murray ex australi terras vocaĩ Sandilandis et terras Iohannis Mar ex boreali terras communitatis de Abirdene lie linkis appelaĩ, ex orieñ et terris dicti andree Murray ex occideñ partibus, Et de dictis terris vocat Sandilandis Iaceñ inter dictas terras vocat thrie

south, the Spittell hill on the north, the King's common high way on the north (east ?), and the Calsey mire on the west parts; and another croft, called fill the Cop, built upon by umquhile Master Adam Gordon, lying near the theives' bridge, between the croft of David Mar on the south and east parts, the croft formerly pertaining to the said preaching friars on the north, and the King's common-way on the west parts: Also another feuduty of nine pounds money aforesaid from the lands of umquhile Master Alexander Galloway, rector of Kinkell, called Crynis Walls, now belonging to Thomas White, mariner burgess of the said burgh, lying in the territory of Futtie, within the freedom of the said burgh, between the lands of David Anderson on the north, the lands called Three lang rigs on the south, the Sea on the west (east ?), and the lands of umquhile John Mar on the west parts; and from the said lands, called Three lang rigs, lying on the south side of the old walls, between the lands of the said David Anderson and the lands of Andrew Murray on the south, the lands called Sandilands and the lands of John Mar on the north, the lands of the Community of Aberdeen called the links on the east, and the lands of the said Andrew Murray on the west parts; and from the said lands, called the Sandilands, lying between the said lands,

lang riggis ex australi terras andree murray ex boreali terras Lie Linkis nuncupaẗ ex orieñ et terras dicti Iohannis Mar ex occideñ partibus, Et de terris nuncupaẗ Lie cuttingis de futties myre Iaceñ inter terras dicti Alexandri Cullen ex australi futties myir ex boreali dictas terras vocaẗ lie linkis ex orieñ et terras quondam Willelmi fuddes ex occidentali partibus, Ac de terris dicti quondam Mg̃ri Alex^{ri} Iaceñ inter viam publicam vocat boulget ex boreali Aqueductum discendeñ a lie futties myir ex australi terras quondam domini de Barnis ex occideñ et futties myir ex orieñ, Ac de tribus peciis terrarum vocaẗ lie Cuttingis Iaceñ inter aqueductum predicẗ ex boreali terras fratrum domus sancte trinitatis de Abd̃ ex australi terras dicti Willelmi fuddes ex orieñ et fluxum Marinum ex occideñ partibus nunc dicto thome quhyit naute in feudifirma pertineñ Item vnum annuum redditum triginta trium solidorum et quatuor denariorum mõe predicẗ de crofta terre olim quondam Willelmi Kyntor burgeñ dicti burgi et nunc Iohanni donaldsoun burgeñ eiusdem pertineñ Iaceñ prope lie gallow-gait poirt dicti burgi vocat calsey croft alś ly lang riggis inter croftam

called Three lang rigs, on the south, the lands of Andrew Murray on the north, the lands called the links on the east, and the lands of the said John Mar on the west parts; and from the lands called the Cuttings of Futties mire, lying between the lands of the said Alexander Cullen on the south, Futties mire on the north, the said lands called the links on the east, and the lands of umquhile William Fuddes on the west parts; and from the lands of the said umquhile Master Alexander, lying between the public way, called the Boulgate, on the north, the aqueduct descending from Futties mire on the south, the lands of umquhile laird of Barnes on the west, and Futties mire on the east; and from three pieces of lands, called the Cuttings, lying between the foresaid aqueduct on the north, the lands of the brethren of the house of the Holy Trinity of Aberdeen on the south, the lands of the said William Fuddes on the east, and the Sea on the west parts, now pertaining to the said Thomas White, mariner, in feufarm: Also an annual rent of thirty three shillings and four pence, money aforesaid, from the croft of land, formerly pertaining to umquhile William Kintor, burgess of the said burgh, and now to John Donaldson, burgess thereof, lying near the Gallowgate port of the said burgh, called Calsey croft, otherwise the Lang riggs, between the croft of the Chaplains of the College of Aberdeen on the

Capellanorum collegii Abirdoneñ ex australi Croftam quondam Willelmi edie ex boreali Cõem viam regiam ex orieñ et lie cruikit myir ad occideñ: annuum redditum viginti sex solidorum et octo denariorum de crofta terre nunc Iohanni Leith de Montgarie pertineñ Iaceñ prope lie crabstane ex parte occidentali territorii croftarum dicti burgi inter croftam quondam Ricardi Kyntor ex orieñ croftam quondam Alexandri Kyntor ex occideñ cõem viam regiam ex australi et croftam quondam Iohannis Mar ex boreali partibus Item annũ redditum viginti octo solidorum et octo denariorum monete predicť leuand et precipieñ de crofta terre olim quondam Iohannis Howy burgeñ dicti burgi et nunc Iohanni tulliedaff burgeñ ibidem spectañ Iaceñ ex parte orientali territorii croftarum dicti burgi inter croftam quondam alexri gray ex australi Croftam quondam Roberti Scroggis ex boreali cõem viam regiam ex occidentali et lie Gallowhillis ex orientali partibus: extendeñ in toto ad summam viginti septem librarum octo solidorum et octo denariorum vna cum superioritate mea dictarum terrarum et croftarum cum pertineñ: Quequidem feudifirme seu annui redditus cum superioritate predicť quatenus per me licitum est de pñti mortificantur et

south, the Croft of umquhile William Edie on the north, the King's common-way on the east, and the Crooked mire at the west; An annual rent of twenty six shillings and eight pence from the croft of land, now belonging to John Leith of Montgarry, lying near the Crabstane, in the west part of the territory of the crofts of the said burgh, between the croft of umquhile Richard Kyntor on the east, the croft of umquhile Alexander Kyntor on the west, the King's common high way on the south, and the croft of umquhile John Mar on the north parts; Also an annual rent of twenty eight shillings and eight pence, money aforesaid, leviable and receivable from the croft of land, formerly of umquhile John Howie, burgess of the said burgh, and now belonging to John Tullidaff, burgess there, lying in the east part of the territory of the crofts of the said burgh, between the croft of umquhile Alexander Gray on the south, the croft of umquhile Robert Scroggs on the north, the King's common-way on the west, and the Gallow-hills on the east parts: Extending in whole to the sum of twenty seven pounds eight shillings and eight pence; together with my superiority of the said lands and crofts with the pertinents; which feuduties, or annual rents, with the superiority aforesaid, so far as is lawful for me, are, by these presents, mortified and granted

ad manum mortuam conceduntur ad reparationem et sustentationem dicti pontis de don pro tanto: Ita quod licitum erit dictis preposito balliuis consulibus et ciuibus dicti burgi eorumq; successoribus aut eorum mgro operis dicti pontis pro tempore dictas feudifirmas et annuos redditus predicf croftarum cum suis pertineñ annuatim et terminatim recipere et easdem ad reparationem et sustentationem dicti pontis applicare et ad nullos alios vsus prout deo in extremo Iudicio Respondere voluerint: Teneñ et habeñ Omnes et singulas predictas annuas feudifirmas et annuos redditus particulariter superius specificaf extendeñ in toto ad dictam summam viginti septem librarum octo solidorum et octo denariorum annuatim leuañ et precipieñ ad terminos consuetos de dictis terris et croftis superius bondaf et limitaf cum superioritate predicf terrarum et croftarum Dictis Preposito Balliuis Consulibus et comunitati dicti burgi et eorum successoribus A me meis heredibus et assignatis De S. D. N. Rege et suis successoribus in feodo et hereditate ac in libero Burgagio hereditarie in perpetuum Cum omni Iure et Iuris clameo titulo proprietate et possessione ac cum omnibus aliis et singulis libertatibus commodatibus proficuis asiamentis et iustis pertineñ quibuscunq; ad predicf cum pertineñ

ad manum mortuam, for the reparation and support of the said bridge of Don, *pro tanto;* So that it shall be lawful to the said provost, baillies, councillors, and citizens, of the said burgh, and to their successors, or to their master of work of the said bridge, for the time, to receive annually and termly, the said feuduties and annual rents of the foresaid crofts with their pertinents, and to apply the same to the repair and upkeep of the said bridge, and to no other uses, as they shall wish to answer to God at the last Judgment. To be held and had all and sundry the foresaid annual feuduties and annualrents set forth in detail above, extending in whole to the said sum of twenty seven pounds eight shillings and eight pence yearly, leviable and receivable at the usual terms from the foresaid lands and crofts bounded and limited as above, with the superiority of the foresaid lands and crofts, by the said provost, baillies, councillors, and community of the said burgh and their successors, from me, my heirs and assignees, of our sacred lord the King and his successors, in fee and heritage, and in free burgage, heritably for ever: with all right, claim of right, title, property and possession, and with all and sundry liberties, conveniences, profits, easements, and just pertinents whatso-

spectantibus seu iuste spectare valentibus quomodolibet in futurum Libere quiete plenarie integre honorifice bene et in pace sine impedimento obstaculo reuocatione aut contradictione aliquali Reddendo inde annuatim Dicti prepositus balliui Consules et Cõitas dicti burgi de Abirdene eorumq; successores Prefato S. D. N. Regi et suis successoribus Seruitium Burgagium quantum spectañ ad predicť terras feudifirmas et annuos redditus et alia seruitia et deuoria pro rata que ego heredes mei et assignati pro loco habitationis feudifirmis et annuis redditibus olim ad dictos capellanos spectañ virtute mei infeofamenti earundem facere tenemur tantum pro õi alio onere seruitio seculari exactione questione seu demanda que de predicť feudifirmis annuis redditibus et superioritate antedicť aliqualiter exigi poterint vel requiri Et Ego vero dictus mĝr alexander hay heredes mei et assignati Totas et integras predictas annuas feudifirmas et annuos redditus dictarum terraꝝ et croftarum particulariter supra speĉañ et bondañ Cum superioritate earundem terrarum et croftarum et suis pertineñ Prefatis preposito balliuis Consulibus et Communitati dicti burgi et eorum successoribus In Omnibus et per õia forma pariter

ever, belonging, or that may anywise in time to come justly belong, to the foresaids, with their pertinents; freely, quietly, fully, wholly, honourably, well, and in peace, without any hindrance, obstacle, revocation or challenge whatsoever. Rendering therefor yearly the said provost, baillies, councillors and community of the said burgh of Aberdeen and their successors, to our foresaid sacred lord the King and his successors, such burgage service as pertains to the foresaid lands, feuduties, and annualrents, and other services and dues, *pro rata*, which I, my heirs and assignees, were bound to render for the dwelling place, feuduties, and annualrents formerly belonging to the said chaplains in virtue of my infeftment thereof, in place of all other burden, secular service, exaction, question, or demand which could anywise be exacted or required for the foresaid feuduties, annualrents, and superiority. And I, the said Master Alexander Hay, my heirs and assignees, shall warrant, acquit, and for ever defend against all mortals, all and whole the foresaid annual feuduties and annualrents of the said lands and crofts set forth in detail and bounded as above, with the superiority of the said lands and crofts, and their pertinents, to the foresaid provost, baillies, councillors, and community of the said burgh and their successors, in all and through all, in like form and effect

et effectu vt premissum Necnon liberas Immunes et exoneratas ab omnibus oneribus et periculis a facto nr̃o proprio duntaxat hoc est quod neq; fecimus neq; faciemus quippiam in preiudicium huius infeofamenti Contra Omnes mortales varrantizabimus acquietabimus et in perpetuum defendemus Omnibus dolo et fraude seclusis Insuper dilectis meis Magistro Gulielmo Barclay aduocato et eorum cuilibet coniunctim et diuisim balliuis meis in hac parte specialiter et Irreuocabiliter constitutis salutem Vobis precipio et firmiter mando quatenus Statim sasinam et possessionem hereditariam realem actualem et corporalem omniū et singularum predict̃ feudifirmarum et annuorum reddituum specialiter superi⁹ specificatorum et superioritatis antedict̃ Prefatis preposito balliuis consulibus et communitati dicti burgi de Abirdene et eorum successoribus destinat̃ ad vsum et effectum suprascriptū et non aliter vel eorum certo actornato aut procuratori pñtium Latori per terre et lapidis fundi dictarum croftarum donationes vt moris rẽxiue et sucessiue tradatis et deliberetis seu alter vr̃um tradat et deliberet Secundum tenorem suprascripte carte mee et pñtis Precepti sasine in omnibus visis pñtibus sine dilatione Et hoc nullo modo omittatis ad quod faciendum vobis et vr̃um Cuilibet coniunctim et diuisim balliuis meis in hac parte antedictis meam

as aforesaid, and free, exempt, and discharged from all burdens and risks from our own deed, only, that is that we neither have done nor shall do anything in prejudice of this grant—all fraud and guile excepted. Moreover, to my beloved Master William Barclay, Advocate,
and each of them, conjointly and severally, my baillies in this part specially and irrevocably constituted, greeting: I charge and strictly command you, or either of you, forthwith to give and deliver to the foresaid provost, baillies, councillors, and community of the said burgh of Aberdeen and their successors, for the use and effect abovewritten, or to their undoubted attorney or procurator bearing these presents, sasine and heritable possession, real, actual, and corporeal, of all and sundry the foresaid feuduties and annualrents set forth in detail above, and of the superiority aforesaid, by delivery of earth and stone of the said crofts, as use is, respectively and successively, according to the tenor of my abovewritten charter and this present precept of sasine, without delay: and this in no wise to omit. For which end, by the tenor of these presents, I grant to you and each of you, conjointly and severally, my foresaid baillies in this

plenariam et Irreuocabilem tenore pñtium Committo p̃tatem In cuius rei testimonium pñtibus per Robertam Rawsoun secreti sigilli scribam deputatum scriptis ac subscriptione mea manuali subscriptis Sigillum meum propriū est appensum Apud Edinburgh Primo die mensis februarii anno d̄ni millesimo sexcentesimo quinto Coram his testibus Magistro Ricardo douglas fratre germano domini quhittinghame georgio hay de Monktoun Magistro georgio tod scriba finlao tailȝeour seruitore dicti d̄ni Regis et dicto Roberto Rawsoun pñtium scriba

part, full and irrevocable power. In witness whereof my own Seal is appended to these presents, written by Robert Rawson, Clerk depute of the Privy Seal, and subscribed by my own hand. At Edinburgh, the first day of the month of February, in the year of our Lord one thousand six hundred and five, before these witnesses, Master Richard Douglas, brother german of Lord Whittingham; George Hay of Monkton; Master George Tod, writer; Finlay Taylor, servitor of our said lord the King; and the said Robert Rawson, writer of these presents.

XX.

Sir Alexander Drummond, Judge Admiral Depute, appoints the provost and baillies admirals depute between the waters of Dee and Don. 8th August, 1617.

At Edinburt Aberdeine and the secund and aucht dayis of August The ȝeir of god J^{m} Sex hundreth and sewinteine yeiris It is appoyntit aggriet contractit and endit Betuixt the richt honorabill pairties following To wit Sir Alexander Drumond of meidhope kny^{t} ane of the lordis of his hienes secret counsall and senatour of the colledge of Justice Prin^{ll} Judge deput Vnder My lord dukis Grace of Lennox In the office of admiralitie of this kingdoms With advyse and consent of Sir James weynne of bogis knyt vice admirall On the ane pairt And Sir Thomas meinȝies of Cultis knyt provest of the burt of Aberdeine William gray Thomas forbes Robert Johneston and Gilbert Cullan present bailȝeis of the sam burgh for thamselfis and in name and behalf of thair successouris provests and bailȝeis th^{r}of pñt and to cum On the vther pairt In forme maner and to the effect eftermentionat That is to say fforsameikill

as the said Sir Alexander drumond being maist willing for the eas of the liegis and to the intent that they be not distractit fra thair laull adois In pleeding of seyfairing causs and vtheris belanging to the said office of admiralitie Bot within the boundis of thair awin residence and Jurisdictioun And vnderstanding that the foirnamit persouns contracteris wt him ar verrie meit and habill to vse and exerte The office of subdeputie of the said admiralitie In all actiouns and causs quhatsumever competent thairto Within the said burt of Abirdeine port and harbour thairof and in all pairtis alsweill be sey as land perteining to the said office of admiralitie Betuixt the wateris of dee and don On baith the sydis of the sam Including heirintill baith the saidis wateris and riveris and all the portis and harbories throf allanerlie THAIRFOIR The said Sir alexander drumond wt consent forsaid Hes maid nominat constituit and ordainit And be the tennor heirof makis nominatis constituitis and ordanis The saidis provest and bailȝies of the said burt of Aberdeine and thair successouris foirsaidis present and to cum Conjunctlie and seuerallie depuctis in the said office of admiralitie wtin the haill boundis particularlie abouementionate Vnder the said Sir alexander Induring all the dayis of his lyftyme or sa lang as he salhappin to bruik and posses the said office as prinll Judge deput in the foirsaid office of admiralitie And hes gevin grantit and disponit to thame conjunctlie and seuerallie as said is all blindis vnlawis goldpennyis casualities profeitis and cmodities perteining and belanging to the said office of admiralitie wtin the boundis and during the space befoirmentionat Exceptand allanerlie thir greit casualities of the said office of admiralitie viz piracies and prysis thairof all schippis barkis crearis and vtheris veschellis landit wt merchandice arryveand at onie pairt of the sey wtin the saidis boundis belanging in casualities to the said office of admiralitie (Nawayis comprehending in this exceptioun onie schippis barkis crearis or vther veschellis belanging to the said burt and toun of aberdeine or onie Inhabitantis thairof Seing the samyn as they occur ar be thir pntis disponit to the foirnamit persounis and thr foirsaidis wt the rest of the small casualities of the said office during the space abouewrittin) And siclyk exceptand furth of this pnt cōmissioun and dispositioun All and quhatsumever Quhaillis Quhilkis ar nawayis disponit fra the said office of admiralitie be vertew of this

appoyntment Bot altogidder exceptit and reservit furth of the sāin WITH POWAR To the saidis provest and bailȝies of aberdeine pñt and to cum Conjunctlie and seuerallie as said is To substituit creeit and ordaine deputtis ane or mae In the said office clerkis serjandis dempstaris and all vther officearis and memberis of burt necessar for quhom thai salbe haldin to anor Courtis ane or mae of the said admiralitie als oft as neid beis wtin the particular boundis abouespēit or onie pairt thairof To affix afferme set doun hald and continew preceptis and vtheris citatiounis In all and qtsumeuer actiounis and causs concerning the said office of admiralitie againis and in favouris of all pairties haveand interes To direct and caus be execute Decreitis arreistmentis poyndingis and all vtheris executorialls To give pronunce and put in executioun Vnlawis bluidwitis and amerciamentis of burt to vplift and ressave The samyn to their awin vse to apply and gñallie to do vse and exert all and qtsumever vther thing is laull and requisit thairanent Qlke the said Sir alexander drumond micht do himself in the said office of admiralitie gif he wer personallie present ffirme and stabill haldand and for to hald this pñt cōmissioun Qlk the said Sir Alexander declairis to be as ane valid and sufficient tak anent the premiss during the said space The entire of the qlk tak is declairit to be and begin at the dey and dait heirof And swa furth to continew and Induir Indwiring the said Sr alexander drumondis lyftyme Or sa lang as he sal happin to bruik and posses the said office of admiralitie as prinll Judge deput thrintill FFOR THE QUHILK The saidis provest and bailȝies of aberdeine Bindis and obleiss thame and thair successouris To content and pay to the said Sr alexander drumond ȝeirlie during his lyftyme At the leist during his richt to the said office of admiralitie The sowme of Sax pundis thretteine schillingis four pennyis money of this realme Anis in the yeir viz at the feist and terme of michaelmes The first ȝeiris payment of the said deutie to be and begyn at the terme of michaelmes nixtocum And swa furth ȝeirlie threfter at the said terme during the haill tyme and space abouementionate Ordaining and requyring the Cōmisser of aberdeine and the c̄misser clerk throf To tak the aithis of the foirnamit persounis In ane Judiciall fensit court de fideli administratione In the said office And to give thame actis and Instrumentis thrvpoun DISCHARGING be thir pñtis Lykas the said Sr alexr drumond wt advyse and consent abouespēit dischairgis all

and quhatsumever vther deputtis and substituitis in the said office gif onie be w^t^in the boundis abouewrittin of all forder vseing and exerceing th^r^of And of all stopping debarring and Impeiding of the foirsaidis persounes In the lau^ll^ bruiking Joysing and vseing of the sam office In tyme cuing Within the boundis abouespecifiet during the space foirsaid And that ℔re of publicatioun be direct and execute heirvpoun In dew forme as effeiris And for the mair securitie baith the saidis pairties ar content and consentis that thir p̃tis be insert and reg̃rat in the buikis of counsall To give the strenth of ane decreit of the lordis th^r^of That exe^lls^ of hoirning vpoun ane simpill chairge of sax dayis and poynding The ane but prejudice of the vther may be direct heirvpoun And to that effect *q*nstitute Thair procuris In forma &c. In witness q^r^of baith the saidis pairties hes subscryuit thir p̃tis (writtin be James hardie s^r^vitor to Johnne gilmo^r^ wryter) day moneth ȝeir of god and place rexiue foirsaidis Befoir thir witnes̃ Mr James hamiltoun brother in law to the said S^r^ alex^r^ drumond walter robertsone clerk deput of the said bur^t^ of aberdeine and the said James hardie witnes̃ to the subscriptioune of the saidis S^r^ alex^r^ and S^r^ thomas menȝies

J Wemys of Bogie
N forbes witnes
A Drummond
paull mengȝes witnes
Tho^s^ Menȝeis
J hamiltone witnes
W Gray baillie
W Robertsoun witness
Robert Johnstone baillie
J hardie witnes
gilbert Cullen baillie

XXI.

Alexander Rutherford renounces in favour of the burgh his office of Tronarship. 16*th September*, 1617.

THE QUHILK DAY In Presence of the Provest Baillies and Counsall of the burghe of Aberdene Compeirit personallie Alexander Rutherfurd sone and air to vmq^ll^ Alexander rutherfurd Lait prouest of the said burghe quha haweand the p̃t possessioune as air to his said vmq^ll^ father of the office of Tronarschip of the said burghe of Aberdeine with the troneweychtis fees and casualities belanging thairto Lykeas the said

vmq^{ll} Alexander his father hed the possessioune thairof dywers ȝeiris befoir his deceas be vertew of sume titill maid to him of the samen be the Laird of Balbeigno for the time And the said Alexander knawing that the Prouest baillies counsall and Communitie of the said burghe hes ane ancient richt of all weyghtis and measuris belanging to the same burghe disponit to thame be vmq^{ll} king Robert bruice of most worthie memorie and that thay have lyikwayis acquired ane new particular gift and Infeftment of the said Troneweychtis and deuties thairto belanging of our Souerane Lord the Kingis Maiestie under his hienes great seall and confermit in Parliament Be wertew quhairoff thay haue intentit proces and actioune of reductioune of the said Alexander rutherfurd his richt of the same befoir the Lordis of Sessioune howsoeuir for the many gude offices done to the toune be his said vmq^{ll} father thay owersaw him to bruik the cōmoditie of the said tron during his Lyiftyme. THAIRFOIR the said alexander sone and air foirsaid acknowleging the waliditie of the Tounes richt to the said Troneweychtis and dewties belanging thairto And being most unwilling to contest in Law with the said Toune of Abirdeine ffor thir respectis and soumes of money payit to him at the making heirof and of befoir be the Prouest Baillies Counsall and Cōmunitie of the said burghe in full satisfactioune of all titill or richt he hes or may pretend to the saidis Troneweychtis in any tyme comeing The said Alexander of his awin frie will Uncoactit compellit or circumweinit RENUNCEIT quytclamit dischargit simplr owergawe and transferrit and be the tenor heirof titulo oneroso Renunceis quytclames dischairgis simplr owergiwes and transferris the said office of Tronarship with the Troneweychtis fees casualities and dewties belanging thairto Togidder with all richt and titill of richt clame entres propertie and possessioune quhilk the said Alexander as sone and air to his said vmq^{ll} father or be any richt or titill quhatsumewir hed hes or onywayis may hawe clame or pretend thairto in any tyme for ewir And that In fauorꝭ of the Prouest Baillies and Counsall of the said burghe and thair successorꝭ for ewir With powar to thame to mell and Intromett with the said Troneweychtis and to caus vse and exerce the said office of Tronarschip, vplift and ressaiwe the fees profites and dewties thairof sett and roup the same to the Tounes best awaill in all tyme comeing as thay sall

think most expedient Quhilk renunciatioun and translatioune abouewrittin the said Alexander Rutherfurd bindis and obleiss him his airis and successouris To Warrand and defend to the saidis Prouest Baillies Counsall and Cōmunitie of the said burghe of Abirdeine and thair successorȩ from all fact or dead done or to be done to the said alexander or his foirsaidis preiudiciall heirto allanerlie And farder In respect the said vmq^{ll} Alexander Rutherfurd his richt of the said office of Tronarship proceidit frome the laird of Balbeigno for the tyme and that vmq^{ll} Andro Wod of Owerblairtoune predicessor to the said laird of Balbeigno is alledgit to hawe acquired ane heretabill gift of the said office of Tronarschip from vmq^{ll} King James the fourt of worthie memorie Thairfoir albeit the said vmq^{ll} Andro Wod his gift be posterior for many ȝeiris to the said Toune of Abirdeines richt abouespēit made to thame be the said vmq^{ll} King Robert bruice The said Alexander Rutherfurd for the said Toune of Aberdeines better securitie et accumulando Jura Juribus Obleiss̄ him to caus S^{r} Johnne Wood now of Balbeigno pcuir him selff to be seruit generall air to the said vmq^{ll} Andro Wood of Owerblairtoune his predicessor And being serwit g̃nall air to him To caus the said S^{r} Johnne dimitt owergive and transfer all titill and richt he hes or may pñd to the said office of Tronarschip fees dewties and casualities belanging thairto In fauorȩ of the said Toune of Aberdeine and thair successorȩ to be bruikit and Joyit be thame perpetuallie and heretablie in all tyme comeing Lyke as the said Alexander Rutherfurd obleiss̄ him and his foirsaids To mak all wther richt and titill sic as may stand be law to the said Toune of aberdeine of the said Troneweychtis and dewties belanging thairto as he or his foirsaidis requyred Prowyding that the said Alexander be not forder obleist in Warrandice bot from his awin and his successorȩ factis and deadis allanerlie and na farder Et sic subscribitur Alexander Rutherfurd with my hand. EXTRACTUM de libro actorum curie balliuorū Burgi de Aberdeñ per me Scribam cōmunem eiusdem subscriptum.

Mollesone scriba

Inventor of the Wreittes in this Wallett concerning the tronship.

1. Ane tak of the tronship giwin be king James anno 1484 to Andrew Wood of ower blairtoune for his lyftime

2. Ane chartor of the said tronship giwin be king James to the said Andrew Wood and his airs maill in ppetuie of the dait 1495
3. Ane chartor of alienation of the said tronship from Jhone Wood of Babeignoe to Allex^{r} Rutherford of the dait 1543
4. Ane vther chartor of the said tronship giwin be Walter Wood of Babeignoe to Allex^{r} Rethorfort of the dait 1601
5. Procuratorie of resignatione of the Tronship be Walter Wood to Allex^{r} Rethorfort of the dait 1601
6. Acquittance Laird Babeignoe to Allex^{r} Rethorfort of the Dait 1602
7. Contract betuixt the Provest of Abd and the Laird of Balbeignoe of the dait 1601
8. Supplication Allex^{r} Rethorfort to the Toune Abd of the dait 1585
9. two missive Letters with ane information
10. Disposition Allex^{r} Rethorfort of the tronship of the Burgh of Abd to the Provest Baillies and Cõmunitie theirof of the dait 1617 u^{t} the Laird
11. of Babeignoes renunceation and approbation in fawors of Allex^{r} Rethorford of the dait 1616

XXII.

Mr. David Rutherford and Mr. John Mortimer, heritable proprietors of the Cran, resign their rights thereto in favour of the provost, baillies, etc. 17*th February*, 1630.

At Aberdene the sevinteine day of februar the ȝeir of god J^{m} sex hundreth and Threttie ȝeiris in presence of maister alex^{r} Jaffray ane of the bailleis of the burghe of aberdeine compeired Maister Alex^{r} dauidsone procurator speciallie constitute To the effect efterspẽit Be maister dauid Rutherfurd and M^{r} Johne Mortimer burgesꝭ of the said burghe and in thair names consented to the registratione of the letteris of dispositioun and resignatioun ad perpetuam remanentiam vnderwrittin in the burrow court bookes of the same burghe thairin to remane ad futuram rei memoriam and to the effect exectioun may be direct thairon as neid beis in maner thairin contenit To the quhilk the Baillie foirsaid interponed his aũctie and ordaines the saidꝙ letteris of dispositioun and resignatioun to be insert and reg̃rat in the saidis books To the effect foirsaid quhairof the tennor followis BE IT KEND till all men be thir present ŧres We Maister Dauid Rutherfurd and

Mr Johne mortimer burgesſ of aberdeine heretabill fewares and portionares of the Cran situat vpon the shoir or sea port callit the keyheid of the said burghe with the fruictis rentes custumes and dueties thairefter mentioned fforsameikle as all and haill the said cran situat upon the schoir or sea port callit the keyheid of aberdeine with the fruictes rentes custumes and dueties thairof extending to auchteine penneis scottis money of ewerie twn of gudes brocht to the schoir or fra the schoir in quhatsumewer sailling weschell with the heretable richt and propertie thairof wes duelie and lauchfullie apprysed at the instance of me the said Mr Johne mortimer fra Thomas Mengȝeis sone and air of vmqll Robert Mengȝeis burges of the said burghe his tutorȩ curatorȩ for thair entres and that for the sowme of Sex hundreth thrie scoir nyne pundȩ thretteine schillinges four penneis scottes money as principall and threttie thrie pundis Nyne schillinges aucht pennies of shreff fie To be hauldin of the Prouest Bailleis Counsell and cōmunitie of the said burghe of aberdeine siclyk and as frielie as the said wmqll Robert Mengȝeis or the said Thomas Mengȝeis his sone held the samen befoir the said apprysing quhilk is of the dait the fyft day of december the ȝeir of god Jm sex hundreth and nyne ȝeiris as the samen sein and considdered be lordis of Counsell and fund be thame ordorlie procedit at lenth proportis Quhairwpon I the said Maister Johne mortimer purchest our Souerane lordȩ ȝres and thairwith causit charge the prouest Baillies counsell and comvnitie of the said burghe superiorȩ of the said Cran To Infeft and safe me the said Mr Johne my airis and assignayes in the samen Cran with the custumes and dewties throf foirsd Conforme to the said apprysing Lyk as the saides prouest Baillies Counsell and comvnitie Superiorȩ foirsaidȩ for obedience to the said chairge be thair charter wnder thair comoun seall Infeft me the said Mr Johne Mortimer my airis maill and assigneis gild burgesſ of the said burgh in the said cran custumes and dueties throf To be hauldin of thame and thair successorȩ siclyk and as frielie as the said wmqll Robert Mengȝeis held the same befoir the said apprysing as the said charter with the said Mr Johne his Instrument of sasinge following thairwpone of the dait the sevinteine day of Januar the ȝeir of God Jm sex hundret and ten ȝeiris at lenth beares Lyk as also I the said Maister Johne Mortimer vpon the auchtein day of the

said moneth of Januar the ȝeir of god foirsaid disponit the equall halff of the said cran and equall halff of the comoditie custumes and dewties thairof to the said Mr Dauid Rutherfurd his aires maill and assigneis quha upoun my Resignatioun procured the said Superiorȩ charter and Infeftment of the said halff Cran and wes heretablie Infeft thairin the day foirsaid as his Infeftment and sasing proportis And in lyk maner the said Thomas Mengȝeis sone and air to the said wmqll Robert Mengȝeis long efter his perfyt age of tuentie ane ȝeiris compleit and efter he was seruit air to his said wmqll faither Be his łres of Ratification and Renunceation of the dait the tuentie fourt day of Aprill the ȝeir of God Jm sex hundret Tuentie sevin ȝeiris for the causs̄ onerout thairin spēit Not onlie Ratified and approved the said proces and decreit of comprysing led and deducet at the instance of me the said Mr Johne Mortimer againes him wpoun the apprysing of the said Cran for the soumes of money aboue writtin with my Infeftment charter and sasing following thairwpon To have bene gude valid and ordorlie procedit with all that had followed or micht follow thairwpon Bot lyikwayes Renuncet discharget and owergave fra him and his aires the legall Reuersion competent or quhilk might have bene competent to The said Thomas and his aires be the Lawes and practiq̄ of this realme for Redemptioun of the said Cran fra me the said Mr Johne and my foirsaidȩ Togidder with all wther richt titill entres kyndnes clame of richt alsueill petitor as possessor quhilk the said Thomas as sone and air to the said Wmqll Robert Mengȝeis his father haid hes or onavayes micht hawe clame or pretend thairto in any tyme comeing To and In favorȩ of me the said Mr Johne Mortimer my aires maill and assignayes To the effect we might Bruik and Joise the said Cran haill rentes Custumes and benefeittes thairof heretablie and Irredeemablie as oure awin proper heretage But regres or Reuersion foreuir as the saidis łres of Ratificatioun and Renunciatioun of the dait foirsaid Registrat in the Baillie court bookȩ of the said burghe and ane decreit of the Prouest and Baillies thairof interponit thairto vpoun the ffyftein day of Maii Jm sex hundreth tuentie nyne ȝeiris at lenth in the selff does testifie Be wertew of the quhilkes richtes the heretable proprietar of the said Cran is now fullie divolued and established in the persones of Us the saidis Mr Dauid Rutherfurd and Mr Johne Mortimer equallie

betuixt us and we have undowbtē richt to dispon thairvpon at our pleasour AND BECAUS Robert Alexander present Thesaurer of the burgh of Aberdeine in name of the Prouest Baillies counsell and comvnitie thairof our Superiorȩ of the said Cran be thair speciall warrand and dirrection hes payed and delyuered to ws reallie and with effect in reddie money at the subscryving heirof of all and haill The sowme of Nyne hundreth merks vsuall Scottes money convertit to our particular vse and benefeit equallie betuixt ws Quhairof We grant the recept and thairof quytclames exoneris and discharges the saids prouest Baillies counsell and comvnitie of the said burghe and thair successors and als the said Robert Alexander thair Thesaurer foirsaid his aires executors and successors THAIRFOIR WITT ye us with vniforme consent and assent To haue sauld analiet and heretablie disponit and be the tennor heirof fra us and ilk ane of us our aires and assignayes quhatsumewer Sellis anallies and dispones heretablie and Irredimablie without any Reuersione redemption or regres for euer to the saidȩ Prouest Baillies Counsell and Comvnitie of the said burghe of Aberdeine our Superiorȩ aboue named and to thair successorȩ Prouest Baillies Counsell and comvnitie thr̄of perpetuallie in all tyme comeing All and haill the said Cran situat wpone the schoir or sea port callit the keyheid of aberdeine with the fruictes rentes custumes and dueties thairof extending to auchteine penneis Scottis money of ewerie twn of goodȩ brocht to or fra the schoir of Aberdeine in quhatsumewer sailling weshell And for the saides prouest Baillies Councell and Comvnitie thair securitie thair anent and to the effect our heretable richt and propertie of the said Cran with the rent and dueties thr̄of may be consolidat with thair superioritie of the samen Witt ye us with wniforme consent as said is for the onerous causs̄ aboue Writtin To hawe Resignit Renuncit surranderit quyteclamed dischargit and simplr ouergiwen And be thir pñtes of our awin frie will set purpose and deliberat mynd uncoactit or compellit for us and ilk ane of us our aires and successorȩ whatsumeuer purelie and simplie Resignes Renunces surranderes quytclames discharges and simplr wp and ouergiwes be staff and baton as vse is in sic caces In the handȩ of the Prouest Baillies Counsell and comvnitie of the said Burgh our Superiorȩ aboue named All and haill the samen Cran situat wpon the said schoir and sea port callit the keyheid of

Aberdeine with the fruictes rentes and dueties belonging thairto extending to auchteine pennies Scottes money of ewerie twn gudes brocht to or fra the said schoir in quhatsumeuer weshell as said is Togidder with all richt titill of richt clame entres propertie and possession quhilk we or ather of us had hes or onavayes may have clame or pretend thairto in any tyme cuming To and In favorꝭ of the saidꝭ Prouest Baillies Counsell and comvnitie of the said burgh of Aberdene and thair successorꝭ our Superiorꝭ aboue named Consolidating heirby our propertie and heretable richt of the said Cran In the persones and favorꝭ of the saides Prouest Baillies counsell and Comvnitie of the said burgh of Abd. and thair successorꝭ with thair Superioritie throf abouespc̃it ad perpetuam remanentiam heretablie and Irredimablie but Reuersion redemption or regres for euer And obleiss us and our foirsaidꝭ To warrand this our Resignation aboue writtin of the foirsaid Cran with the rent and deuties thairof abouespc̃it ad perpetuam remanentiam as said is To the saidꝭ prouest baillies Councell and Comvnitie of Aberdene and thair successorꝭ from our awin proper facts and deides allannerlie That is to say that we have not done nor shall do any fact in preiudice heirof and no forder Lyk as for that effect we have instantlie delyverit to the saidꝭ Prouest Baillies and Councell the said proces of apprysing and reg̃rat band quhairwpon the same procedit with our Infeftmentes and all wtheris writtes ℔res and securites quhatsumeuer quhilkꝭ we haue or had concerning the said Cran to be keipet and vset be thame and thair successorꝭ in all tyme comeing as writtes and euidentꝭ Belonging to the said toun of Aberdene And for thair forder secureitie We obleis ws and our foirsaidꝭ To compeir personallie in presence of the Prouest Baillies and Councell of the said burghe and thair with all solempnitie requisite To resigne surrander and Upgive fra us and ather of us and our foirsaidꝭ the said cran with the fruictes rentes and dueties belanging thrto In the handꝭ of ane honorable man Paul Mengȝes of kynimvndie present prouest or any of the Baillies of the said burghe in name of councell and comvnitie of the said burghe our Superiorꝭ throf abouenamed ad perpetuam remanentiam as said is To and In favor of the saides Prouest Baillies Councell and Comvnitie and thair successorꝭ our Superiorꝭ foirsdꝭ in due ꝛ convenient forme as efferis With warrendeis And forder We have

maid and constitute and be thir pñtes Makes and constitutes the saidꝫ Prouest Baillies Counsell and Comvnitie our lauchfull Cessioneris and assignayis In and to the proffcittes casualities and dueties of the said Cran sic as the same hes randerit or that Justlie may be knowin to belong thairto sen the feast of michaelmes Last bypast in the ȝeir of God Jm sex hundreth tuentie aucht zeires With powar to thame to mell Intromet with and wptak the same to the comon benefeit and vse of the haill toun call persew and charge thairfoir and all wther thinges to do for recoverie and uplifting of the same quhilk we micht have done our selffes Promittand to hauld firme and stabill Declairand heirby the said Toun of Aberdenes entrie to the said cran and propertie throf to have bene and begwn at the said feist of michaelmes Lastbypast as gif this present Resignation ad perpetuam remanentiam in thair favorꝫ had bene maid and grantit be ws befoir the said terme of Michaelmes Last and notwithstanding thairof Quhair and we dispense be thir presentes for euer MOREOUER To the effect our haill richt and titill of the said Cran and dueties thairof With our richt of the said proces and decreit of apprysing may be fullie dissolued and established In favorꝫ of the said toune of Aberdene Witt ye me the said Mr Johne Mortimer at whoes instance the said proces of apprysing wes led and deducet and in qhoes favorꝫ the saidꝫ ltres of Ratification and Renunceation wer grantit be the said Thomas Mengȝeis with expres consent and assent of the said Mr Dauid Rutherfurd and he for himselff his awin richt and entres and we both with vniforme consent for the onerous causs aboue writtin To have maid Constitute creat and ordanit and be the tennor heirof Mackꝫ constitutes creattes and ordanes the saidis Prouest Baillies councell and comvnitie of Aberdene and thair successorꝫ Our verie lauchfull wndoutted and Irrevocabill cessioneres assigneyes and donatorꝫ veluti in rem suam propriam cum dispositione libera In and to the foirsaid proces of apprysing of the said Cran and dueties thairof led and deducet at the Instance of me the said Mr Johne Mortimer againes the said Thomas Mengȝeis of the dait foirsaid and sowmes of money aboue writtin both principall and sheref fie for the quhilk the said cran wes appryset and in and to the Bandis gewin wpon the saidꝫ sowmes haill heidꝫ clauss conditiones provisiones and circumstances of the samen And In and to

the saidꝭ ȝres of Ratification and Renunceation aboue mentionet maid and grantit be the said Thomas Mengȝeis In favores of me the said Mr Johne Mortimer and my foirsaidꝭ TURNAND transferrand and simpliciter disponand fra us and ilk ane of us and our foirsaidꝭ The foirsaid proces of apprysing sowmes of money aboue spẽit bandis and decreites quhairwpone the same procedit ȝres of Ratificatione and Renunceation abouespẽit haill strenth forse and effect thairof With our haill richt and titill of the samen And of all that hes followed or may follow thairon To and In favorꝭ of the said toune of Aberdene and thair successores for euer in the most ample forme of Constitution but revocation Obleising us be thir presentes and our foirsaidis To Warrand this our assignation and translation gude valid and effectuall to the saidꝭ Prouest Baillies Councell and comvnitie and thair successorꝭ from our awin proper factes ꝛt deidꝭ allannerlie And to mak all wther securitie to thame concerning the premiss̄ be aduyse of men of law as we shall be requyred with warrandice alvayes from our awin proper factes and deidꝭ as said is and no fordir Concerning [*sic*] for the moir securitie that thir presentes be registrat in the bookꝭ of our Soverane Lordꝭ Councell and Session or Baillie court bookꝭ of the said Burgh thairin to remaine ad futuram rei memoriam and to have the strenth of ane act and decreit of ather of the saidꝭ Judges that ȝres and executorialles may be direct thairon as neid beis in forme effeiris and to that effect Constitutes Magister Alexander Daudsone advocat Our laulfull procuratorꝭ promitten de rato In witnes quhairof we have subscryued thir presentes with our handꝭ written be Mr George Robertsone writtar in Abd. At aberden the Sextene day of Junii Jm sex hundreth tuentie nyne ȝeires Befoir thir witness̄ Gilbert Mengȝeis of Petfoddellis Mr Vedast Lawsone Alexander Rutherfurd Alexr Stewart burgess̄ of the said burt and Walter Robertsone cōmoun clerk of the same burt sic subscribitur Maister Dauid Rutherfurd Mr Johne Mortimer Gilbert Mengȝeis witnes Mr Vedast lausone witnes Alexander Rutherfurd witnes Alexander Stewart witnes Walter Robertsone witnes

Extractum de libro Registri contractuū in Burgi de Aberdeñ per me walterum Robertsone scribam cōmunem sub hac mea subscriptione manuali

W. Robertson

XXIII.

*Dr. Patrick Dun mortifies the lands of Ferryhill to the provost, baillies, etc., for the maintenance of four masters in the Grammar School. 3rd August, 1631.**

BE IT KEND TILL ALL MEN, be thir present Lẽrs, ME M^R^ PATRIK DWNE, Doctor of Medicine, and Prin^ll^ of the New Colledge of Aberdene, Forsameikle as I considering with my selff that gramr scooles qulkis the seminaries of all kynd of sciences and learning, sould be planted in all Christiane comoune wealthes, and competent meanes provydit for mentinence of Maisteris of the saidis scooles, to the intent that with the gritter allacritie and cheirfulnes they mey attend th^r^ chairge, and be the mair vigilant and painfull in training wp the 3outh comitted to ther educ^a^on in vertew and gude lẽrs; I thairfoir out of my zeall to Godis glorie, and to the flooriseching of learning, and for the love I carie to the Burch of Aberdene, q^r^of I am ane borne citizen, maid laitlie, conqueist to my myselff, in lyfrent, during all the dayes of my lyiftyme, and eftir my deceis, to be employit & mortified *ad pios usus*, in sic forme and maner, and to the particular use, as be my awne writ and declar^a^one I sould set doune and appoynt: ALL and HAILL the TOUNE and LANDIS of FERRIEHILL, with the mylne, myllandis, multoris, and sequellis thairof, and with the haill aillhouss and smiddie croftis, houss, biggingis, yairdis, tenentis, tenendries, and service of frie tennentis, pairtis, pendicles, & ptinentis, of the foirnamit landis, togidder with the teynd schevis of the samen, lyand within the parochine of S^t^ Machar, and Schirrefdome of Aberdene, contigue, adjacent to the burrow ruidis of the said burch, as the lẽrs of dispositione, charter, and infeftment following th^r^upone, maid to me be Patrik Hepburne, at the litle mylne of Essilmonth, with *q*sent of Mr W^m^ Hepburne, his broth^r^, and certane wy^r^ psones th^r^in nominat, of the dait the fourt day of Junii, j^m^vj^c^ twentie nyne yeiris, at mair lenth proportis:—And now, becaus I am fullie resolved anent the forme & maner of the mortefeing of the saidis landis &

* See XLV., p. 148.

teyndis,, and to q^t particular use the same sall be mortefeit and destinat; thairefoir be thir p̃nttis I declair and mak manifest and knawin my will th^ranent, to be for mentinence of four Maisteris within the Gram̃er Scoole of the said Bruch of Abd, perpetuallie in all tyme com̃ing, in forme, substance, & effect eftir following, & upon the conditiones, provisiones, limit^anes underwrittin, and na wth^rwayes: That is to say, Witt ye me to the honor of ALMICHTIE GOD, and for the benefite of Kirk and Com̃oune wealth, to have frielie gevin, grantit, destinat, and perpetuallie mortefeit, and be the tenor heirof now and for evir I frielie giff, grant, destinat, and perpetuallie mortifie to the Provest, Baillies, Counsell, and Com̃ountie of the s̃d burch of Aberdene, and to th^r successores, Provest, Baillies, Counsell, and Com̃ountie th^rof in all tyme com̃ing, for mentinence of the saidis four Maisteris of ther Gram̃er Scoole, in maner and upon the conditiones underwrittin allanerly, and na wth^rwayes: All & haill the foirsaid toune & landis of Ferriehill, with the mylne, myllandis, multoris, and sequellis th^rof, with the haill ailhouss̃ & smiddiecroftis, houss̃, biggingis, yairdis, tennentis, tennendries, & service of frie tennentis, pairtis, pendicles, & pertinentis, of the foirnamit landis, togidder with the teynd scheaves th^rof includit w^t the stock, lyand as said is; To be haldin of our Soverane Lord the Kingis Ma^tie, and his Hienes successores, now im̃ediat superioris of the saidis landis, be vertew of the Act of Annex^ane of the Kirk landis of this realme to the Patrimonie of the Croune *in puram et perpetuam elemosinam;* or in few ferme or frie burgage, as his Ma^tie sall be pleasit to grant the same; Q̃lkis landis wer haldin of auld of the Pryor and *q*vent of the Trinitie Freiris of Abd, in few ferme for yeirlie pay^t of the soume of twentie pundis usual Scottis money, to the minister of the saidis freiris, or to q^t sum^rwther p̃sone havand richt th^rto, at tua termes in the yeir, witsonday & mairtimes in winter, be equall portiones: And siclyke payand yeirlie for the teynd scheavis of the saidis landis to the Prin^ll Subprin^ll Maisteris and memberis of the Kingis Colledge of auld Aberdene, the soume of fyiftie merkis money foirsaid, at the termes of pay^t usit & wont allanerly: Reservand alwayes to me, the said Mr Patrik Dun, my lyffrent of the saidis landis, teyndis, & utheris foirsaidis, during all the dayes of my lyiftyme: And for the better performance of the s̃d mortific^aone, and obtening of his Ma^ties infeftment

thrupone, for the use, & upon the conditiones eftir spẽit, Witt ye me, with expres advyse & qsent of the said Patrik Hepburne, my author of the saidis landis & mylne; and als the said Patrik, for himselff, his awne richt and entres, as last imediat tennent and vassall throf to our said Soverane Lord, and we baith with mutuall & uniforme qsent & assent, to have maid, qstitute, & ordanit, and be thir pnttis makis, qstitutes, and ordaines, and ilk ane of them, conjunctlie & severallie, our verie lawfull, undouttit, & irrevocable prois, actoris, factoris, messris, and speciall earand beareris, to the effect underwrittin, gevand, grantand, & comittand to them, and ilk-ane of them, conjunctlie & severallie, as said is, our verie full, frie, plaine power gñrall and speciall comand, expres bidding, & chairge, for us, in our name, & upon our behalf, to compeir befoir our said Soverane Lord, or his Hienes Successores, or befoir the Lordis Comissioneris appointit be his Matie, for ressaving of ressignanes, & granting new infeftmentis thrupone, and tht at qtsumr day or dayes, tyme & place qvenient, with all humilitie & submissione, as becometh, purelie and simplie be staff and bastoune, as use is, to resigne, renunce, surrander, wp and overgive, lyikas I the said Mr Patrik Dwne, with advyce & qsent of the said Patrik Hepburne, and we baith with ane qsent and assent, now as than, and than as now, be thir pnttis, resignes, renunces, surranderis, purelie and simplie for ws, & aithr of ws, our aires and assis, wp and overgives, All and Haill the said toune and landis of Ferriehill, with the mylne, mylnelandis, multoris, sequellis, ailhouss and smiddie croftis, houss, biggingis, yairdis, tennentis, tennendries, and service of frie tennentis, pairtis, pendicles, & pertinentis of the saidis haill landis, lyand as said is, togidder with the teynd scheaves throf, includit with the stock, with all richt, title, entres, clame of richt, propertie, & possessione, qlk we, or aithr of ws, had, hes, or ony wayes mey have, clame, or pretend thrto, or any pairt throf, in tyme coming, in the handis of our said Soverane Lord, or his Hienes successores, superioris throf, or in the handis of the saidis Lordis Comissioneris; and that in speciall favor, and for new heretable infeftment of mortificane, to be gevin and grantit back againe thairof, be our said Soverane Lord Superior foirsaid, under his Maties Grit Seill in dew and competent forme, as effeiris, to the saidis Provest, Baillies, Counsell, & comountie of

the said Burch of Aberdene, and to thr successores, Provestis, Baillies, Counsell & comountie throf, for evir, to the use and for mentinence and interteinment of four Mris within the Gramer Scoole of the said Burch of Abd, perpetuallie, in all tyme coming, proportionallie amonge them, with the conditiones, provisiones, and limitanes, as is eftirmentionat, and no wthrwayes, viz. I ordane the yeirlie dewtie of the sdis landis, mylne, & teyndis, to be upliftit and layde upon bank ay and quhill the same grow and accres to such ane soume of money, as mey buy and conqueis sa meikle landis, weill haldin, & comodiously lyand, as will render & pay sex hundreth merkes money scotis of yeirlie frie rent, makand in all, with the present rent of the saidis landis, and mylne of Ferriehill, the soume of twelff hundreth merkis yeirlie; and incace of my deceis befoir the full pformance throf, I appoint and ordane the Provest, Baillies, & Counsell of the said Burch of Abd, wt advyce and concurrance of my loving freindis Mr Wm Johnstone, Doctor in Phisick, Mr Alexr Jaffray, and Mr Rot Farqr, burgess of Abd, or ony of them being on lyiff, to tak the paines for manageing of the rent of the saidis landis, mylne, and teyndis, and of the yeirlie imployment throf upon bank, till the same mey accres in maner, to the proportione, & for the effect foirsaid; Qlk haill full rent of twelf hundreth merkes Scottis money, I ordane to be imployed upon the mentinence and interteinment of four Maisters of the Gramer Scoole of the said Burch of Aberdene; the first & prinll Maister qrof I ordane to teache the Hie Clas of the sd Scoole, and to have the inspectione & oversicht of the rest of the Maisteris, and to have of yeirlie stipend the soume of sex hundrethe merkes money, of the rent of the saidis landis; and everie ane of the remanent thrie Maisteris to have yeirlie twa hundrethe merkes moe, with this alwayes conditione that it sall not be lawll to ony of the saidis four Maisteris to tak any more salarie or stipend from ony scoller within the said scoole, except only threttein shillingis four pennies Scottis money, at the maist, ilk quarter of the yeir, unles he be the sone of ane Marquis, Erle, Vicount, Lord, or Barone, fra qm the Maisteris sall have libertie, to tak sic stipend for instructione of thr bairnes, as the Noble men or Barones sall be plesit to bestow upon them, and that ilk Maister sall tak the said stipend from the scollares of his awne clas allanarly: SECUNDLY,

q^{t}sum^{r} scollar comeing to the said Gram̄er Scoole, and bringand w^{t} him ane testimoniall, sub^{t} be honest & famous men, declaring his povertie, or the povertie of his parentis, sall be teached gratis:— THRIDLIE, all theis that ar of the surname of Dune, of q^{t} rank or *q*ditione soevir they be, sall be lykewayes teached gratis; and gif it sall be tryed, that any of the saidis four Maisteris ressave, aith^{r} directlie or indirectlie, any money, or any wth^{r} benefite, from any poore scolar, or yit from ony of the surname of Dun, the Maister contravening, immediatlie eftir dew tryell th^{r}of, sall be depryved, *ipso facto*, of his place in the said scoole, & ane wth^{r} admitted & placed th^{r}in; and so also sall the whole tennentis sones of the saidis landis of Ferriehill, and remanent landis to be conqueist for the use foir^{d}, be teached gratis perpetuallie, in all tymes com̄ing: And for the better performance and conserv^{a}ne of this my mortific^{a}ne, I declair, that, induring all the dayes of my lyiftyme, I my selff sall be only and absolute Patrone and presentar of the saidis four Maisteris, & ilk ane of them, as th^{r} places sall happin to vaik; and, eftir my deceis, I nominat, *q*stitute, appoint, and ordane the Provest, Baillies, Counsell, & com̄ountie of the said Burch of Abd for the tyme, with M^{r} Ro^{t}, Charles, and Patrik Dunes, my brother sones, and th^{r} aires maill of pfyte aige, they being knawin to be honest & consciencious men, and not gevin to railling, to be Patrones and *q*servato^{ris} *in perpetuum*, of this my mortific^{a}ne, and presentaris of the saidis four Maisteris, & everie ane of them, as their places happnis to vaik, and to sie the haill poynttis of this p̃nt mortific^{a}ne, preceislie performed & executed, as it is heir set doune, and the yeirlie rentis of the foirsaidis landis, teyndis, & wtheris, abovewrittin, to be bestowit & imployit to the wse afoir designit, and to no uther use, *sub pena anathematis*: And farder, I ordane the first & prin^{ll} M^{r} of the said scoole to come yeirlie, at Michelmes, to the saidis Provest, Baillies, and Counsell of Aberdene for the tyme, and desyre them to nominat and appoint visitoris for visit^{a}ne of the said scoole, anes at lest everie moneth for th^{t} yeir, and to appoint the saidis visitoris to tak just notice & tryell gif the lawis of the said scoole be observit both in doctrine & discipline, and gif the haill conditiones of this my mortific^{a}ne be also keipit be the saidis M^{ris} eftir the forme & tenor th^{r}of; and q^{r}in the saidis visitoris findis any brack or viol^{a}ne, that

they mak faithfull report accordinglie to the saidis Provest, Baillies and Counsell. Lykas I appoint the said Prin^{ll} Maister to come anes ilk moneth, and put the Magistratis in mynd to direct ther visitoris to mak a visitatione of the said scoole to the effect foir^{d}; q^{r}in, giff the said prin^{ll} M^{r} sall be fund deficient in not desyring the said monethlie visit^{a}ne, I ordane him for ilk monethes defect in this dewtie, *toties quoties*, to tyne and amit ten merkes mo^{e} of his stipend: Declairing heirby, that it sall be law^{ll} to any honest man w^{t}in the Toune of Abd, to challenge the said prin^{ll} M^{r} of this neglect, befoir the Provest & Baillies of the said Burch for the tyme, and he being fund culpable & defective thairin, I ordane the said challenger to have ten merkes for his paines, sa oft as the said prin^{ll} M^{r} sall be fund deficient in desyring the said monethlie visit^{a}ne: And in lyik maner, giff ony of the saidis four Maisteris sall deboird or deboische in lyiff or convers^{a}ne, or to be tryed any tyme absent causles, and defective in th^{r} dewtie incumbent to them be th^{r} office, I ordane also, *ipso facto*, that the M^{r} fund debording in lyiff, or defective in dewty, sall be depryved of his office be the Provest, Baillies, & Counsell of the s̄d Burch for the tyme, and of all benefite th^{r}of, in all tyme th^{r}eftir, and ane wth^{r} to be admitted in his place eftir the ordor above prescryvit; and as for the tryell of the qualific^{a}nes of the saidis four Maisteris, com̄it the same, in all tyme comeing, to tua of the Ministeris of the said Burch of Abd, q^{m} the Counsell for the tyme sall be plesit to nominat to th^{t} effect, and to the Prin^{ll} and four Regentis within the New Colledge of the said Burch, quho being solemnly sworne, in p̄nce of the Counsell, sall testifie the presented ane or mae to be worthie, and sufficiently learned and qualefeit for such a place: Bot gif any of my awne surname, or ony of the sones of the tennentis of Ferriehill, or the sones of the tennentis of any wth^{r} landis that sall happin to be conqueist & mortefeit to the use foirsaid, be fund qualefeit for such a place in the said Gram̄ar Scoole, q^{n} the same sall vaik, let them be preferred, without ony *q*test^{a}ne; and failȝeing of them, that they be not suitaris for th^{t} place, I ordane ane program to be affixit on ane Sunday, on the maist patent doore for the tyme, of S^{t} Nicolas Paroche Kirk of Abd, and intim^{a}ne maid, baith south and north, within thrie monethes to present themselffis, q^{o} ar desyrous of such

a place; and eftir tryell taken of theis that sall present themselffis, let them aither be admitted or rejected, according to th^r^ sufficiencie or insufficiencie; and immediatly befoir th^r^ admissione, ane aith sall be exacted of them, to doe q^t^ lyes in ther power for the weill of the Colledge Marschell within the Burch of Abd, and to prefer the same to all wth^r^ Colledges, in geving counsell to th^r^ scollares to be brocht up in the foirsaid Colledge Marschell; humblie intreating that our gracious and dread Soverane the Kingis most excellent Ma: and the Lordis Comissioneris appointit for granting infeftmentis, wald be plesit to give & grant, in maist ample forme, his Ma^ties^ Charter of Confirm^a^ne of this my mortific^a^ne, under the Grit Seall, in dew & competent forme, under & upon the conditiones & provisiones abovewrittin: Lyikas I DECLAIR, DECERNE, and ORDANE this my WILL and MORTIFIC^A^ONE to STAND UNALTERABLE, INVIOLABLE, and UNCHANGEABLE, in all tymes, heireftir and for evir; and for th^t^ effect I most humblie desyre the Richt Noble and Potent Erle, Williame Erle Marschell, his aires and successores, Erles of Mareschell, to sie this my mortific^a^ne conserved in full integritie, and imployit to the use abovewrittin allanerlie, and no wth^r^ wayes, seing it tendis to the weill & standing of his Lordschipis Colledge w^t^in the said Burch: As lyikwayes I earnestlie intreat the saidis Patrones to be cairfull that the few & teynd dewties of the saidis landis & teyndis be preceislie payit at the terme of Mairtimes yeirlie, that no inconvenient come upon stock or teynd, in default of not tymous pay^t^ of the saidis few & teynd dewties, to q^t^sum^r^ p̃sone or p̃sones havand richt th^r^to; and for the mair securitie, I ordane, am *q*tent, and *q*sentis that thir p̃nttis be insert and reg̃rat in the Bookes of Counsell & Sessione, or Tounes Bookes of Abd, *ad futuram rei memoriam;* and to that effect I *q*stitute M^r^ Thomas Sandilandis my law^ll^ procurato^ris^, *promittens de rato*, be thir p̃nttis, writtin be Patrik Smith, Notar Publict, and sub^t^ be me:—At Aberdene, the thrid day of August, the yeir of God j^m^vj^c^ threttie and ane yeires befoir thir witness, the said M^r^ Alex^r^ Jaffray, M^r^ Thomas Merser, writter in Ed^r^, & the said Patrik Smith, writter heirof; Sic sub^r^ PATRIK DUNE, D. with my hand; Mr Alexander Jaffrey, witnes; Maister Thomas Merser, witnes; Pa. Smith, writter & witnes.

XXIV.

Sir Charles Erskine, Lyon King of Arms, confirms the arms of old appertaining to the Royal Burgh of Aberdeen. 25*th February*, 1674.

To All and Sundrie Whom it effeers I Sir Charles Araskine of Cambo knight Baronet Lyon King of Armes Considering That Be Severall acts of Parliament Especiallie Be the Tuentie one act of the third session of the Second parliament of our dread Soveraigne Lord Charles the Second be the Grace of God King of Scotland England France and Ireland defender of the faith I am Impowered to visit the wholl armes and Bearings Within this kingdome And to distinguish them with congruent differences And to Matriculat the same in my books and Registers and to Give Extracts of all armes Expressing the blazoning therof vnder my hand and seall of office Which Register is be the forecited act ordained to be respected as the true and unrepealable rule of all armes and Bearings in Scotland To Remaine with the Lyons office as a publict register of the kingdome Therfore Conforme to the power given to me be his sacred Majestie And According to the tenor of the said act of parliament I Testifie and make knowen That the armes and Bearings of old apertaining to the Royall Burgh of Aberdein And now confirmed be me to them Is matriculat in my said publict Register vpon the day and dait of thir presents and is thus blazoned Viz The said Royall Burgh of Aberdein Gives for ensignes Armoriall Gules three Towers Triple towred within A Double Tressure counterflowred Argent Supported by two Leopards proper The motto in ane Escroll above Bon-accord And vpon the reverse of the seall of the said burgh is Insculped In A feild Azure A Temple Argent Saint Nicolas standing in the porch mitred and vested proper With his dexter hand Lifted vp to Heaven praying over Three Children in A Boyling Caldron of the first and holding in the sinister A Crosier Or Which Armes Above blazoned Being granted and Confirmed to the said Royall Burgh Be Severall of his Majesties Most Royall predecessores Kings of Scotland for their Loyall services performed to them I declare to have bein and to be the true armes of the said Burgh In Testimonie

BON-ACCORD

WHEROF I have subscryved this Extract with my hand and have caused append my seall of office therto GIVEN at Edinburgh the Tuentie fyft day of februarij and of our said soveraigne Lords reigne the Tuentie Sexth year. 1674.

(Signed) CH: ARASKINE LYON.*

XXV.

The provost, baillies, etc., perambulate the Inner Marches of the Burgh. 11th May, 1696.

Which day the counsell ordained ane true report of the perambulatione of the towns inner marches as they wer preambulat the eleventh of May instant to be insert in the counsell books and whereof the tenor follows viz^t^ Att Aberd the eleventh day of May J^m^vi and nyntie six yeirs The said day the Provost Baillies Dean of thess^r^ past and visited the common getts and passages about this towne and for the better cleireing and verifieing the gates and passages following took with them certan famous honest men who best knew the samen witnesses sworne and examined conform to the old dec^ts^ pronuncit thereanent And first began at the Gallowgate head and ther fand that George Reid stabler at the east syde of the Gallowgat Port hade taken out ane march stone out of his yard dyke, wes ordained to be conveened therefore and ordaines the stons on the porthill to be removed And from thence divideing equally viz^t^ the on halfe keepeing the high way as they goe to the old towne till they came to ane new house latly builded on the east syde of the s^d^ highway by Robert Duguid customer made interruptione thereat And from thence keepeing the kings highway till they came ꝛt mett the other halfe of their number at the foote of the rode which descends from the backgates of the head of the Gallowgat by Alexander Toasch barne

* The docquet annexed to the emblazonment is as follows:—

"This is the true Bearing of the Royall Burgh of Aberdein as it is now confirmed be the Lyons warrand and extract of the dait of thir presents And collationed be me Master Robert Innes Clerk to Sir Charles Areskine Lyon King of Armes and Keeper of the Register of Armes At Edinburgh the 25 February 1674

"Signed ROBT. INNES."

which highway from the s^d^ Robert Duguids house thereto ought ꝛ should be four ells in breadth conform to the march stons and fand the s^d^ highway only a litle encroacht upon The other halfe keepeing in the highway by the old wind milne for visiteing the back gaits of the head of the Gallowgate which rode from the s^d^ wind milne to the s^d^ Alex^r^ Toasch barne ought to be four ells in breadth at the narrowest ordained the march stone at the s^d^ old wind milne to be minded and fand that William Lumsden had incroachit upon the s^d^ road about three foots with the gavell of his barne made interuption therat and ordained him to be conveened And from the s^d^ Alexander Toasch barne keeping the highway south-east or thereby till they came to the house formerly belonging to W^m^ Lindsay ꝛ now to which is four ells in breadth at the narrowest ꝛ fand the same ordinarly well observed and ordained and ordained ane timber ravelling to be built befor Captan Melvills stank And from thence divideing equally viz^t^ the on halfe keeping the highway lineally to the Thieves Bridges from the well called the Nook Well without the Justice Port which rode from the s^d^ well to the Theivs Bridges ought and should be four ells in breadth at the narrowest and fand the same rode greatly incroachit upon by Alexander Forbes tennent to the Lady Barns and be Alexander Smith hyrer tennent to Marjorie Burnet for encroacheing on the neu calsie built there made interruptione on both And from thence keeping the stank at the Thieves Bridges straight eistward to Footysmyre ꝛ fand the same rightly observed the other half straight downe the Bowll Rode (which ought to be also four ells in breadth) and fand the march stons on both sydes almost extinct ordained the same to be renewed And from thence meeting all in the Links went be the heads of the crofts betwixt the first holl of the Links and Garvacks Wynd and fand the same rightly observed except ane march stone which wes lifted at Footiseholl ordained to be renewed and fand ane great holl casten in the Links about the eist end of Garvocks Wynd by the cariers of sand ordains the same to be filled up and the makers thereof conveened ꝛ fyned And from thence divideing equally the on halfe from the eist end of the s^d^ Garvocks Wyne keipeing the heads of the crofts nixt the sea towards the blockhouse fand the same ordinarily well observed from incroachments on

the Links and the other halfe keepeing Garvacks Wynd westward (which ought to be also four ells in breadth) fand the same ordinarily well observed on both syds And from thence south-east or thereby to the butts of land at the back of the town of Futtie and fand the same ordinarly well observed and which in old tyme wes lineally potted ꝛt marked for march stons from the well of Footy to the eistmost cunzie of the blockhouse lineally and from the sd well of Footy passand straight north lineally to ane march stone at the east end of ane corne rigg (formerly called Lyons Rigg) at whilk rigg ther ought to be twentie foots in breadth of ane rode all the way to Garvacks Wynd and fand the same rod a litle below the gate of Footy Kirk greatly encroached upon ordained to be marked ꝛt the guilty conveend And from thence passand allongst the shoar ꝛt by the Trinities and in by the back of George Browne and Baillie Gellie ther yards keeping the highway till they came to the Bowbridge fand the same rightly observed And fra the sd Bowbridge divideing equally the on halfe towards the Crabston who fand that tennents to Janat Cruickshank relict of John Licklie maltman hade incroacht greatly on the sd highway by build of three corss housses theron which wer ordained to be demollished and the sd Janet conveened and that the narrowest part of the sd way from the sd Bowbridge to the Crabstone ought to be twenty on foots in breadth The other halfe keepeing westward straight up the Denburne fand an great incroachment on the comontie of the sd burne not only on the eist syde thereof by the yard pertaineing to the aires of James Allan Litster and croft now labored by David Ord ordained both to be helped and made interuptione and ordaines the sd comon rode to be repaired which goes allongst the east syde of the sd burne but also that hade labored ane rigg of land lyand benorth the duckat at the foot of the brae and west syde of the sd burne which ought to be cōity made interuptione thereat and ordaines the tennent to be conveened and the corns thereof to be shorn when rype And also fand that the croft now laboured be Arthur Robertsone late in Caberstone wes greatly enlarged upon the commonty of the eist syde of the sd burne ordained the corns therof to be cutted when rype till they come lineally with the march stons of the sd croft and the sd Arthur to be cited ꝛt fyned and from

thence goeing up the s_d burne took interuptione at the Skinners Scons as also at ane litle house built on the west syde of the s^d burne on the south syde of the high rode to Robslaw because it incroached upon the s^d rode And from thence keeping the high rode to Robslaw above Sant Johns Well fand the north ends of the crofts on the south syde therof rightly observed And from thence begining at the westmost end of the croft called Hardweird fand that the present tennent hade encroached greatly on the comonty of the Denburne made interruptione both at house ꝛ croft and ordained Alexander Sangster measone to build ane dyke ther on the north syde of the s^d burne upon his oun expenss conform to his obligement seeing the old stons of the old dyke wer taken away by him And from thence keepeing close by the s^d burne till they came to the Womanhill wher divideing the on halfe went about the calsie at the Broad Foord keeping the highway to the carne till they came to the Gallowgat head ꝛ fand all rods and marches rightly observed the other halfe keeping the road whych lyes betwixt the Colledge Croft now possest be Charles Sangster weaver and the lands of the Loch belonging to the towne fand the same ordinarily well observed except a little incroachment in the nor^t syde of the s^d croft upon the s^d rode wherat interruptione wes made till they also came to the Gallowgat Port keepeing the way of the cloussis ꝛ backgates ꝛ fand all rightly observed

PART IV.

INVENTORIES OF RECORDS

ILLUSTRATING THE HISTORY OF

THE BURGH OF ABERDEEN.

I.—RECORDS UNDER THE CHARGE OF THE TOWN CLERK.

A[1].* BURGH CHARTERS, ACTS OF PARLIAMENT, &c.

*1. Charter by King William the Lion, printed on p. 3, No. I.
2. Charter by King William the Lion, „ 4, „ II.
3. Charter by King William the Lion, verbally, though not literally, identical with the preceding. Reproduced in facsimile in Kennedy's *Annals of Aberdeen*, Vol. I., p. 9.
4. Charter by King Alexander II., printed on p. 5, No. III.
5. Charter by King Alexander III., „ 8, „ IV.
6. Letters by King Alexander III., „ 9, „ V.
7. Letters patent by Guardians of Kingdom, „ 289, „ I.
8. Letters patent by Community of Banff, „ 290, „ II.
9. Charter by King Robert I., „ 10, „ VI.
10. Charter by King Robert I., „ 11, „ VII.
11. Charter by King Robert I., „ 12, „ VIII.
12. Charter by King Robert I., „ 14, „ IX.
13. Letters patent by King Robert I., „ 15, „ X.
14. Letters patent by King Robert I., „ 16, „ XI.
15. Charter by King David II., „ 17, „ XII.
16. Letters patent by King David II., „ 18, „ XIII.
17. Letters of reprisal by King David II., giving warrant to apprehend all Flemings, sailors excepted, found in Scotland, until a sentence of banishment against all his subjects found in Flanders be removed. 12th November, 1347. Printed in Gordon's *Description of Both Touns of Aberdeen* (Spalding Club), p. 41.
18. Letters patent by King David II., providing that Scotch Merchants shall have a staple of merchandise at Middleburgh in Zealand. 12th November, 1347. Printed in *Descr. of Both Touns*, p. 42.

* These letters and numbers are the pressmarks of the bundles in which the writs are at present arranged in the Town House Charter Room. A[1] embraces the period down to 1500 A.D.

19. Charter by Alexander Ysaac to John de Edynhame, burgess of Aberdeen, of a feuduty of twenty shillings sterling from a piece of ground in the Castlegate. 18th April, 1350. Printed in *Descr. of Both Touns*, p. 42.
20. Attested copy, by John, Bishop of Moray, of a charter by King William the Lion granting to the Church of St. Mary of Kinloss five crofts in the burghs of Inverness, Eren, Forres, Elgin and Aberdeen. Copy dated 29th August, 1355. Printed in *Descr. of Both Touns*, p. 44.
20^2. Copy of Obligation by Procurators of Four Burghs, printed on p. 305, No. IX.
21. Copy, from Books of Council and Session, of a Charter by King David II. granting to his burgesses of Scotland exclusive right to buy and sell within the freedom of their respective burghs. 8th March, $136\frac{3}{4}$. Printed in *Descr. of Both Touns*, p. 86.
22. Charter by King Robert II. to Andrew de Inchestur of the lands of Rubislaw, resigned by John de Inchestur. 20th May, 1378.
23. Charter by King Robert II., printed on p. 19, No. XIV.
24. Charter by King Robert III., „ 21, „ XV.
25. Bond by King James I., „ 22, „ XVI.
25^2. Copy of Obligation by Burgh, „ 317, „ XI.
26. Letters by King James II., „ 24, „ XVII.
27. Charter by King James II., „ 25, „ XVIII.
28. Letters by King James II., „ 27, „ XIX.
29. Letters by King James II., „ 29, „ XX.
30. Charter by John Bannerman of Elsick to his uncle John Bannerman, burgess of Aberdeen, of the lands of Cruives. 13th November, 1440.
31. Charter by John Bannerman of Elsick to the provost, baillies, etc., of Aberdeen, of the lands of Cruives. 12th January, 1459. Printed in *Descr. of Both Touns*, p. 50; and in *Cartularium Ecclesie Sancti Nicholai* (New Spalding Club), i., p. 8.
32. Charter by King James III., confirming A^1 30. 2nd April, 1465. Printed in *Cart. Eccl. S. Nich.*, i., p. 10.
33. Charter by King James III., printed on p. 30, No. XXI.
34. Instrument of sasine following thereon. 25th June, 1466. Printed in *Cart. Eccl. S. Nich.*, i., p. 6.
35. Charter by King James III., printed on p. 33, No. XXII.
35^2. Copy of Charter by King James III., almost verbally identical with last, but dated 6th September, 1483. Cf. *Reg. Mag. Sig.*, vol. ii., p. 329.

36. Letters by King James III., appointing Andrew Wod of Overblairtoun, for his lifetime, tronator of the burgh of Aberdeen. 20th April, 1484. Printed in *Descr. of Both Touns*, p. 55.

36^2. Copy of Charter by King James IV., printed on p. 323, No. XIII.

37. Letters by King James IV., printed on p. 35, No. XXIII.

38. Charter by King James IV., appointing Andrew Wod and his heirs male perpetual tronators of the burgh of Aberdeen. 7th June, 1495. Printed in *Descr. of Both Touns*, p. 55. Cf. *Reg. Mag. Sig.*, vol. ii., p. 478.

39. Letters by King James IV., printed on p. 36, No. XXIV.

40. Copy of Charter by King James IV., printed on p. 329, No. XIV.

41. Copy of Charter by King James IV., confirming A^1 36^2. 21st August, 1498. Printed in *Registrum Episcopatus Aberdonensis* (Spalding Club), ii., p. 303. Cf. *Reg. Mag. Sig.*, vol. ii., p. 519.

A^2.* Burgh Charters.

1. Letters by King James IV., printed on p. 41, No. XXVI.
2. Letters by King James IV., „ 38, „ XXV.
3. Extract tack by the provost, baillies, etc., to William and Elizabeth Makesoun, of the Justice Mills, with the multures, etc. 13th December, 1518.
4. Discharge by John of Barbon to the burgh from going to the Host and Raid, for the sum of £650 Scots. 31st August, 1522. Printed in *Descr. of Both Touns*, p. 63.
5. Factory and Commission by the burgh appointing the provost and certain burgesses to compear before arbiters appointed to judge between the burgh and the family of Leslie. 15th January, $152\frac{5}{6}$. Printed in *Descr. of Both Touns*, p. 63.
6. Letters patent by King James V., printed on p. 43, No. XXVII.
7. Letters by King James V., „ 45, „ XXVIII.
8. Factory and Commission by the burgh appointing the provost to compear before the King and Council to demand justice against Alexander Forbes of Burghis. 31st July, 1530. Printed in *Descr. of Both Touns*, p. 68.

8^2. Instrument of Sasine in favour of David Anderson, burgess, of an annual rent of forty shillings Scots from the Kilbanks croft. 7th May, 1532.

9. Instrument of Sasine in favour of Henry Irvine and Janet Collison on the said croft. 27th October, 1534.
10. Charter by John Collison to David Anderson of the said croft. 2nd June, 1536.

* A^2, 1500 to 1635.

11. Factory and Commission by the burgh appointing Commissioners to compear before the Auditors of Exchequer relative to the freedom of burgesses from custom on salmon. 12th September, 1537. Printed in *Descr. of Both Touns*, p. 70.
12. Factory and Commission by the burgh appointing the provost to meet at Dundee commissioners from Dundee, Montrose, St. Johns, and St. Andrews, relative to the conventions and staple at Campvere in Holland. 5th August, 1541. Printed in *Descr. of Both Touns*, p. 71.
13. Letters by Queen Mary, printed on p. 46, No. XXIX.
14. Charter by John Wod of Balbegno to Alexander Rutherford, burgess, of the tronatorship. 13th August, 1543.
14^3. Instrument of Sasine in favour of William, son of David Anderson (A^2 8^2), of the said annual rent. 25th June, 1547.
15. Factory and Commission by the burgh, appointing Commissioners for setting in feu the town's fishings on Dee and Don, under licence from Queen Mary (engrossed therein, and printed on p. 48, No. XXX.). 4th March, $155\frac{1}{2}$.
16. Feu Charter by the Provost, Baillies, etc., proceeding on the last and engrossed in the next. 12th September, 1553.
17. Charter by Queen Mary, printed on p. 52, No. XXXI.
18. Instrument of Resignation by the Gray Friars, printed on p. 332, No. XV.
19. Charter by King James VI., printed on p. 68, No. XXXII.
20. Precept of Sasine on last. 30th December, 1567.
21. Instrument of Sasine thereon. 22nd July, 1569.
22. Transumpt of A^1 11, 15, 37; of licence engrossed in A^2 15; of A^2 16, 17; and of Town's Account rendered to Court of Exchequer in 1576: executed by James Makgill, Clerk Register, 17th June, 1577.
23. Petition by Burgh to King James VI. anent claim by George Auchinleck of Balmanno to the fishings of Don. Prior to 22nd June, 1580.
24. Notarial copy of the next.
24^2. Act of Privy Council, printed on p. 237, No. IX.
25. Printed copy of last.
26. Extract Acts of Council and Head Court interdicting neighbours from pursuing any actions, except in regard to Testaments, before the Commissary. 3rd April and 14th July, 1581.
27. Charter by King James VI., printed on p. 71, No. XXXIII.
28. Precept of Sasine on last. 26th October, 1583. Printed in *Descr. of Both Touns*, p. 76.

29. Instrument of Sasine thereon. 13th January, $158\frac{3}{4}$.
30. Duplicate of last.
31. Another duplicate of same.
32. Decreet by Lords of Council and Session: Provosts, baillies, etc., against tenants of Black and of White Friars. 26th May, 1584.
33. Precept of Sasine by provost, baillies, etc., for infefting Patrick Jack in a third part of the Gray Friars Place. 5th December, 1584.
34. Extract Act of Council appointing a Committee to consider proposals from Alexander Rutherford anent the Tron, purchased from the laird of Balbegno by his grandfather. 8th October, 1585.
35. Extract of Indenture, printed on p. 345, No. XVIII.
36. Charter by King James VI. to George, Earl of Huntly, of the property of the Gray Friars of Aberdeen. 29th July, 1587. Cf. *Reg. Mag. Sig.*, vol. v., p. 445.
37. Signature by King James VI., printed on p. 88, No. XXXV.
38. Letters by King James VI., „ 90, „ XXXVI.
39. Letters by King James VI., „ 92, „ XXXVII.
40. Charter by James Settoun, burgess, to William Thomson, burgess, and Isobel Rolland, his spouse, of the Lochfield Croft. 18th May, 1593.
41. Letters of publication on A^3 39. 31st December, 1593.
42. Discharge by Thomas Achesoun, Master Cunzeour to the King, for a payment from the Dean of Guild of 3585 merks Scots. 28th January, $159\frac{4}{5}$.
43. Letters by King James VI., printed on p. 95, No. XXXIX.
44. Copy Summons, burgh against burgh of Old Aberdeen, anent dispute as to Marches. 27th April, 1594.
45. Lawburrows obtained against burgh by burgh of Old Aberdeen in same dispute. 4th June, 1594.
46. Discharge by King James VI. for sum of £7000 Scots paid by burgh towards expenses of baptism of Prince Henry. 5th June, 1594.
47. Extract discharge by King's Comptroller for sum of £1000 Scots paid by burgh towards his Majesty's tocher. 31st July, 1594.
48. Disposition by Sir John Carmichael to Robert Towse, burgess, of his right to the last payment. 31st July, 1594.
49. Licence by King James VI., printed on p. 94, No. XXXVIII.
50. Licence by Ludovick, Duke of Lennox, granting exemptions, in terms of the last. 13th December, 1594.
51. Act of Privy Council annulling exemptions from passing on assize. 5th March, $159\frac{6}{7}$.

52. Letters by King James VI., printed on p. 97, No. XL.
53. Discharge by King James VI. for payment of 700 merks towards expenses of army. September, 1596.
54. Licence by King James VI., printed on p. 99, No. XLI.
55. Instrument of resignation, by Gilbert Menzies of Pitfoddels, to the burgh of the Upper and Nether and Justice Mills, with the multures, etc. 7th April, 1597.
56. Contract between Andrew Fraser of Stoneywood and the burgh, anent the marches betwixt Stoneywood and the freedom lands. 3rd August, 1597.
57. Commission by King James VI. appointing George Troup, burgess, his Commissioner for the shires of Aberdeen and Banff, for carrying out the Acts of Parliament anent metts, measures and weights. 10th August, 1599.
58. Copy, made about 1600, of $A^1 4$.
59. Signature by King James VI. for next.
60. Charter by King James VI., printed on p. 100, No. XLII.
61. Precept of Sasine on last. 14th August, 1601.
62. Discharge by James Balfour for payment of £810, the price of 45 stand of burgess armour. 9th June, 1603.
63. Extract Act of Parliament, printed on p. 249, No. XIX.
64. Instrument of Sasine following on A^2 61. 18th December, 1606.
65. Duplicate of last.
66. Extract Decreet by Lords of Council and Session anent Litsters of Aberdeen. 17th July, 1611.
67. Catalogue of Register and Court Books of Aberdeen. January, 1613.
68. Extract Submission and Decreet Arbitral anent King's customs and imposts on wines. 14th December, 1613.
69. Contract, burgh with Thomas Watson, mason, Old Rayne, for building a prison. 20th and 24th February, 1616.
70. Extract Act of Parliament, printed on p. 250, No. XXI.
71. Duplicate of last.
72. Charter by King James VI., printed on p. 110, No. XLIII.
73. Precept of Sasine on last. 17th July, 1617.
74. Instrument of Sasine thereon. 8th August, 1617.
75. Duplicate of last.
76. Contract, printed on p. 360, No. XX.
77. Mass of Writs (8) relating to the Tron, of dates from 1st June, 1601 to 16th September, 1617: the last printed on p. 363, No. XXI.

78. Instrument of Institution of Mr. James Sibbald as Minister of the Church of Aberdeen. 11th March, 1627.
79. Mass of Writs (19) relating to the Cran, of dates from 16th June, 1604 to 16th June, 1629: the last printed on p. 366, No. XXII.
80. Transumpt of Instrument of Resignation (27th January, $150\frac{5}{6}$), by Sir John Rutherford to the Provost, of the right of patronage of the Altar of St. Michael in the Church of St. Nicholas. 4th Aug., 1629.
81. Mass of Writs (5) relating to the burgh's privileges of Markets following up A^1 4, of dates from 25th September, 1617, to 15th July, 1630.
82. Extract Act of Parliament, printed on p. 255, No. XXIII.
83. Copy Patent by Earl of Linlithgow, High Admiral, constituting Provost and Baillies Depute-Admirals within the burgh, port and harbour, and between the rivers Dee and Don. *Circa* 1630.

A^3. Burgh Charters.

1. Decreet by Privy Council annulling election of Magistrates for year 1635-6; and letters following thereon. 26th January, 1636.
2. Mass of Discharges (21) for Taxations, &c., of dates from 16th June, 1601, to 25th July, 1636.
3. Two copies of Signature by King Charles I. for next.
4. Charter by King Charles I., printed on p. 155, No. XLVI.
5. Notarial copy of last, and of Sasine following thereon. 31st October, 1638.
6. Extract Patent by Duke of Lennox, High Admiral, in like terms to A_2 83. 11th November, 1641.
7. Copy of last.
8. Extract Act of Parliament, printed on p. 258, No. XXV.
9. Duplicate of last.
9^2. Copy Precept by King Charles I., „ 201, „ XLVIII.
10. Extract Act of Parliament, „ 262, „ XXIX.
11. Extract Act of Parliament, „ 264, „ XXX.
12. Copy of last.
13. Signature by King Charles II., „ 204, „ XLIX.
14. Letter from King Charles II. to Commissioners of Excise, anent continuance of Act A^3 11.
15. Extract Act of Parliament, printed on p. 269, XXXIV.
16. Patent of Admiralty, by Sir Alexander Keith of Ludquharn, Admiral-Depute. 16th December, 1665. *Cf.* A^3 6.
17. Copy Signature of King Charles II., printed on p. 205, No. I.

* A^3, 1635 downwards.

18. Mass of Inventories (7) of Town's Writs, "sichtit be the Provost and Baillies". 6th June, 1667.
19. Decreet by Court of Session in process between burgh and burgh of Old Aberdeen. 14th February, 1669.
20. Extract Act of Town Council anent sale of fish in Castlegate. 5th May, 1669.
21. Extract Act of Town Council anent burials. 1st June, 1672.
22. Nomination by Council of Mr. Patrick Sibbald as Minister of St. Nicholas. 25th June, 1673.
23. Extract Act of Town Council depriving Thomas Leslie, merchant burgess, of his freedom. 7th January, 1674.
24. Matriculation of Arms, printed on p. 380, No. XXIV.
25. Emblazonment, of which representation faces p. 380.
26. Decreet by Court of Session in action, burgh against burgh of Old Aberdeen. 9th January, 1675.
27. Extract Contract between Magistrates and King's College anent patronage of Kirk of Newhills. 27th January and 7th February, 1676.
28. Commission by Earl of Kincardine, Vice-Admiral, constituting Provost and Baillies Depute-Admirals between waters of Dee and Ythan. 12th May, 1677.
29. Letters by King Charles II., printed on p. 207, No. LI.
30. Commission by Marquis of Athol, Vice-Admiral, constituting Provost and Baillies Depute-Admirals between waters of Cowie and Ythan. 8th August, 1680.
31. Extract Act of Parliament, printed on p. 272, No. XXXIX.
32. Copy of last.
33. Printed copy of Act of Privy Council, printed on p. 274, No. XL.
34. Contract, Burgh with John Montgomerie, mason, for building Market Cross. 27th January, 1686.
35. Extract Act of Parliament, printed on p. 275, No. XLI.
36. Extract Discharge by George M'Kenzie, Stonehaven, to Burgh of all inland excise due to his father. 12th January, 1692.
37. Account of Pollable Persons within burgh, conform to Act of Parliament. August and September, 1694.
38. Extract Act of Parliament, printed on p. 276, No. XLII.
39. Commission by Commissioners of Admiralty appointing Provost and Baillies Admirals Depute between Dee and Don. 27th January, 1696.
40. Do., but between Cowie and Ythan. 14th April, 1697.

41. Deputation by Clerk of Admiralty nominating Town Clerks of Aberdeen to be Depute-Clerks of Admiralty from Cowie to Ythan. 22nd May, 1697.
42. Deputation by Clerk of Admiralty nominating Town Clerk as above. 30th December, 1704.
43. Contract, Treasurer and Thomas Forster, plumber, burgess of Edinburgh, anent bringing in water to burgh. 11th and 17th April, 1706.
44. Extract Act of Parliament, printed on p. 279, No. XLIV.
45. Protest by Sir Thomas Burnet of Leys anent punishment of illegal salmon fishers in Dee and Don. 26th September, 1707.
46. Extract Tack, Burgh to Alexander Moir and James Fyff, of burgh mussel scalps. 23rd August, 1708.
47. Act of Adjournal of Justiciary Court, anent a claim by Magistrates for freedom from attendance on assizes and inquests. 12th Oct., 1708.
48. Deputation by Earl of Wemyss, Vice-Admiral, appointing Provost and Baillies Depute-Admirals between Port Leviathan and River Don. 17th March, 1709.
49. Decreet of Burgh Court anent searching town's cellars for French wines. 12th July, 1709.
50. Disposition by Earl of Wemyss, Vice-Admiral, to Provost of his right to wrecked goods cast in on the bay of Aberdeen or sands of Belhelvie. 24th February, 1710.
51. Do. of his right to brandy cast in within privileges of Arbroath. 24th February, 1710.
52. Contract, Burgh with John Gordon in Corfidy, anent his salary as Chamberlain. 25th May, 1711.
53. Contract, Burgh with William Lindsay, goldsmith, anent his salary as Overseer of Public Works. 25th June, 1714.
54. Extract Contract, Burgh with craftsmen thereof, anent burial lairs and mort cloths. 19th December, 1647: registered in Baillie Court Books, 11th March, 1715.
55. Decreet by Court of Session anent power of Magistrates to regulate burials. 28th July, 1716.
56. Act of Adjournal of Justiciary Court anent claim by Magistrates for freedom from attendance on assizes, etc. 11th May, 1721.
57. Mass of "States" of the burgh (16), of dates from Michaelmas, 1696, to Michaelmas, 1721,
58. Obligation by Patrick Duff of Premnay anent gates for riding town's marches. 21st September, 1726.

59. Deputation by Duke of Queensberry, Vice-Admiral, appointing Colonel John Middleton of Seton Admiral from Bervie to Fraserburgh, except Slains. 13th September, 1727.
60. Do. appointing Provost and Baillies Admirals as above. 16th January, 1728.
61. Contract, Burgh and feuars of adjacent lands, anent cleaning streets of town. 28th February, 1728.
62. Substitution by Colonel John Middleton of the Provost and Baillies in Deputation, A[3] 59. 29th November, 1729.
63. Contract, Dean of Guild and William Durward, anent town's dung. 24th November, 1736.
64. Extract Assedation, Treasurer to George Linton, horsehirer, of casualties of horsehiring. 15th May, 1735.
65. Commission by Earl of Findlater, Vice-Admiral, appointing Provost and Magistrates Depute-Admirals, as in A[3] 60. 21st June, 1738.
66. Commission from H.R.H. Duke of Cumberland, appointing interim Magistrates. 8th April, 1746.
67. Warrant from Privy Council sanctioning election of new Town Council. 16th June, 1746.
68. Double of Valuation of tenements and houses in burgh in *anno* 1746.
69. Contract, Treasurer and John Middleton of Seaton, anent road to north of Don, and containing lease of anchorage and shore dues of vessels in mouth of Don for 45 years. 26th November, 1756.
69[2]. Instrument of Resignation on disposition by George Skene of Rubislaw to burgh of Horpletillam Park of Rubislaw, and stone quarry therein. 7th December, 1757.
69[3]. Contract, Treasurer and George Moir of Scotstown, anent march between Spittal lands and Old Town Links. 7th April, 1759.
70. Instrument of Resignation on disposition by George Skene to burgh of part of lands of Rubislaw south of the Denburn. 8th Oct., 1760.
71. Commission by Earl of Findlater, Vice-Admiral, appointing Provost and Magistrates Depute-Admirals from Kinneff to Fraserburgh, except Slains. 20th July, 1761.
72. Mass of Writs (8) relating to Earl Marischal's lodging in Castlegate, of dates from 5th June, 1600 to 2nd July, 1766.
73. Commission by Earl of March, Vice-Admiral, in same terms as A[3] 71. 12th September, 1768.
74. Discharge, Managers of Infirmary to burgh, of management of funds prior to date of Royal Charter. 26th July, 1775.

75. Commission by Earl of Breadalbane, Vice-Admiral, appointing Provost and Baillies Admiral-Deputes from Whistleberry to Ythan. 30th November, 1776.

76. Commission by Lord William Gordon, Vice-Admiral, in same terms as last. 31st October, 1782.

77. Commission by Lord Cathcart, Vice-Admiral, in same terms as last. 26th May, 1796.

78- . Writs of present century.

A⁴. Tenements in Town.

1-12. Writs relating to various tenements in town, dating from 23rd September, 1612, to 28th October, 1864.*

A⁴. Decreets.

1-12. Decreets of Declarator, &c., dating from 21st July, 1718, to 1845.

B. Bethelnie.

1-13. Writs relating to the lands of Bethelnie, dating from 22nd July, 1675, to 24th November, 1796.†

B. Bogfairly.

1-49. Writs relating to the lands of Bogfairly, dating from 13th May, 1511, to 24th November, 1757.‡

* There is also a Chest containing about nine cubic feet of uncatalogued writs relating to tenements that came into the possession of the Burgh at the time when the New Streets (Union Street, King Street, &c.) were opened up.

† The lands of Bethelnie were disponed to the Master of Mortifications by John Urquhart of Meldrum in payment of £4892 15s. Scots due to Dr. Guild's Mortification, and £2428 7s. Scots due to Catherine Rolland's Mortification, 14th May, 1712. The Disposition is now awanting. The lands were again feued to the Urquharts for a feuduty of £390 11s. 4d. Scots.

‡ The lands of Bogfairly, part of the old patrimony of the town, were feued out, 18th July, 1552, under the licence by Queen Mary (see p. 48) to Thomas Menzies of Pitfoddels, for a feuduty of £3 18s. 8d. They ultimately came into the hands of George Davidson of Pettens, who mortified them for the support of a minister in Aberdeen, 12th March, 1662; and were again feued for behoof of the Mortifications, the Articles of Roup dating 25th August, 1756.

C[1]. Capraston.

1-19. Writs relative to the lands of Capraston. 18th March, 156^{1}_{2}, to 16th September, 1658.*

C[1]. Chaplains.

Writs relative to Feuduties† of the Chaplains of the Church of St. Nicholas.

1. Charter by John de Kyngorne, Vicar, to Vicar and Chaplains, of three feuduties, 4th February, 143^{8}_{9}. Printed in *Cartularium Ecclesie Sancti Nicholai* (New Spalding Club), i., p. 113.
2. Charter by Mathew Fechat, burgess, to Chaplains of Altar of St. Michael, of sundry feuduties. 18th July, 1462. Printed in *Cart. Eccl. S. Nich.*, i., p. 87.
2[a]. Charter by William Scherar, burgess, to Chaplain and Altar of St. Duthac, of two pieces of ground and sundry feuduties, for benefit of chaplains. 31st July, 1464. Printed (in part) in *Cart. Eccl. S. Nich.*, i., p. 19.
3. Charter by John Knollis, burgess, to Chaplains of Altar of St. John the Baptist, of two feuduties. 9th October, 1486. Printed in *Cart. Eccl. S. Nich.*, i., p. 83.
4. Charter by Mariot Bynzie to Richard Crawfurd of a tenement burdened with a feuduty, to Chaplain of Altar of the Virgin. 24th April, 1487.
5. Sasine to David Waus, Vicar of Banff, of a feuduty from a tenement belonging to John Menzies. 3rd February, 148^{8}_{9}.
6. Sasine to Andrew Liel, Treasurer, of a feuduty from lands belonging to William Kintor, burgess. 16th August, 1491.
7. Charter by John Knollis, burgess, to John Knollis, his son, of the patronage of the Altar of St. John the Baptist. 16th September, 1492.
8. Instrument of Possession to Mathew Nicholson, Chaplain of Altar of St. Peter, of a tenement in security for a feuduty. 15th April, 1493.
9. Charter by Andrew Gray, Chaplain of Altar of Michael the Archangel, to Curate and Chaplains, of two feuduties. 21st October, 1493.
10. Sasine to Chaplains of a feuduty from lands belonging to John Litster, burgess. 23rd October, 1498.

* These lands were purchased from Alexander Forbes, burgess, for sum of 2500 merks Scots, 7th November, 1595, and sold to Dr. John Gordon in 1722.

† See grants of these to the Burgh, pp. 75, 103, 107, 122, 134, 162, 178, 199, 248, 258, 335.

11. Instrument of Possession to Sir John Prat, Chaplain of Altars of Holy Cross and of St. Thomas and George the Martyr, of a waste land, in security for two feuduties. 8th January, $150\frac{3}{4}$.
12. Charter by Malcolm Crag, burgess, to Mr. William Strathachin, Rector of St. Mary ad Nives, of a feuduty from his lands. 5th June, 1505.
13. Sasine to Sir John Striucling, Chaplain of Altar of St. Catharine, of two feuduties from lands belonging to John Cullane, burgess. 20th June, 1505.
14. Sasine to Sir John Reid, Chaplain of Altar of St. Christopher, of two feuduties from tenements belonging to Walter Atkin and Patrick Nicholson. 3rd November, 1505.
15. Charter by Alexander Matheson, burgess, Patron of Altar of St. Christopher, to Chaplains thereof, of three feuduties, for performance of usual services. 18th February, $150\frac{6}{7}$.
16. Sasine thereon. 11th February, $150\frac{7}{8}$.
17. Sasine to Mr. John Fleschear, Chancellor of Aberdeen, of part of a tenement belonging to Christina Blinseill. 11th July, 1516.
18. Instrument of Resignation by Sir Thomas Ury, Chaplain, to Chaplains of Altar of Virgin and St. Joseph, of a tenement, for performance, etc. 16th May, 1518.
19. Sasine to Sir John Waus, Chaplain of Altar of Jesus, of tenement belonging to John Arthour. 14th August, 1520. Printed in *Cart. Eccl. S. Nich.*, i., p. 144.
20. Charter by John Collison, burgess, to Curate and Chaplains of Choir of sundry tenements, for performance, etc. 5th October, 1520.
21. Sasine thereon.
22. Sasine on resignation by Mr. John Cuming, Canon of Cathedral, to Andrew Stratoun, burgess, of a tenement. 15th November, 1521.

22^2. Sasine in favour of Chaplains of Choir, of a feuduty. 8th March, $152\frac{1}{2}$.

23. Sasine on resignation by William Crag, to Curate and Chaplains, of a feuduty. 1523.
24. Sasine on resignation by Thomas Chalmer, Chaplain of Altar of Virgin, to Vicar and Chaplains of Choir, of a tenement. 13th July, 1527.
25. Sasine on resignation by John Neilson, to Curate and Chaplains of Choir, of a feuduty. 6th November, 1531.
26. Charter, Andrew Durty, burgess, to Curate and Chaplains, of a tenement in security for a feuduty. 31st March, 1533.

27. Charter by John Collison, burgess, to Sir William Coupar, Chaplain, of a feuduty. 27th February, 153^{4}_{5}.
28. Sasine on resignation by Walter Howeson, burgess, to said Sir William Coupar, of a feuduty. 17th March, 153^{4}_{5}.
29. Sasine on resignation by John Murray, burgess, to Curate and Chaplains, of a feuduty. 24th Nov., 1535.
30. Copy Charter, by David Anderson, burgess, to Curate and Chaplains, of a feuduty. 27th May, 1536. Printed in *Cart. Eccl. S. Nich.*, i., p. 172.
31. Sasine on resignation by Sir Andrew Scherar, Vicar of Nigg, to George Scherar, burgess, of a feuduty. 18th January, 153^{6}_{7}.
32. Charter, by Andrew Murray, burgess, to Curate and Chaplains, of a feuduty. 21st Oct., 1537.
33. Charter by Thomas Chalmer, Chaplain of Altar of Virgin, to Henry Marchand, burgess, of a tenement for payment of a feuduty. 13th March, 153^{7}_{8}.
34. Charter by John Mair, burgess, to Chaplains of Choir, of two feuduties. 26th March, 1538.
35. Instrument of Possession to Sir Robert Spark, Chaplain of Altar of St. Duthac, of a waste land in security of a feuduty. 31st January, 154^{0}_{1}.
36. Sasine on precept of Clare Constat, by Mr. Robert Smith, Collector for Vicars and Chaplains, in favour of John Gordon, in Myltoun, of sundry crofts. 16th July, 1548.
37. Charter by Vicars of Choir, to Sir Andrew Jaffray, Chaplain of Choir, of a piece of ground for a feuduty. 25th December, 1552.
38. Sasine thereon.
39. Charter by Sir Alexander Robertson, Chaplain, to Chaplains of Choir, of a feuduty. 19th April, 1554.
40. Copy Retour of whole Church lands within shire of Kincardine. 4th March, 155^{4}_{5}.
41. Presentation by Elizabeth Pratt of Sir William Walcar as Chaplain of Altar of St. Thomas. 1st August, 1560.
42. Register of Baillie Court Decreets for unpaid feuduties of Chaplains. 9th June, 1546, to 20th August, 1576.
43. Charter by Mr. Alexander Wrycht, Chaplain of Altar of Jesus, to John Burnett, burgess, of a tenement for feuduties to said Altar, and to Chaplains of Choir. 30th April, 1578.

44. Sasine thereon.
45. Charter by John Cheyne of Tilliebourie, to Alexander Cheyne, his son, of the patronage of the Altar of St. Martin. 13th September, 1581.
46. Institution, by Andrew Scherar, burgess, of William Scherar, his son, to the Altar of St. Duthac. 23rd April, 1585.
47. Inventory of Writs of lands and feuduties belonging formerly to Chaplains and now to burgh. 24th May, 1593.
48. Sasine to William Knowis, burgess, and resignation by the same to George Knowis, his brother, of patronage of Altar of John the Baptist. 17th April, 1599.
49. Decreet before Commissary, burgh agt. Alexander Keith of Balmuir, for a feuduty. 3rd December, 1602.
50. Inventory of Writs of Chaplains. 3rd May, 1622.
51. Inventory of Writs of Black Friars of Aberdeen, taken away in 1559, and restored 23rd December, 1625.
52. Petition to Town Council, by William Scherar, demitting his rights to Altar of St. Duthac. 17th March, 1630.
53. Summons by burgh for a feuduty granted 9th April, 1378, for supporting Calsey at Cowie Month. 14th June, 1630.

C^2. Church and Bridge Works.

1-15. Writs relating to Ducat Croft. 31st January, 1609, to 28th June, 1804.
1-11. Miscellanea. 4th March, $158\frac{4}{5}$, to 13th November, 1813.
1-13. Writs relating to South Church. 17th July, 1778, to 11th December, 1828.

C^2. College.

1. Marischal College. Charter of Novodamus, by William Earl Marischal. 7th October, 1623.
2. Contract, burgh and Robert Downy, librarian-nominate of Mar. Coll. 8th February, 1632.
3. Contract between the same. 3rd August, 1652.
4. Contract between the same. 14th November, 1659.
5. Act of Council nominating David Gregorie librarian. 4th November, 1663.
6. Copy Contract following thereon. 1664.
7. Mass of Writs (10) relative to process between burgh and college anent patronage of libarianship. Of dates from 5th January, 1674, to 18th June, 1675.
8. Contract, burgh and college, anent Reid's mortification. 3rd May, 1707.

9. Discharge by college for payment of twenty guineas towards purchase of philosophical instruments. 28th April, 1727.
10. Copy Articles of Union between King's and Marischal Colleges. 8th November, 1754.
11. Extract Decreet Arbitral by Earl of Findlater anent Union. 21st March, 1755.
12. Duplicate of last.

D. Dean of Guild.

1-7. Writs relative to the Dean of Guild. 11th December, 1725, to 14th September, 1801.

E[1]. Easter Echt.

1-30. Writs relative to the lands of Easter Echt, dating from 11th May, 1629, to 21st September, 1764.*

E[2]. Elsick.

1-25. Writs relative to the lands of Elsick, dating from 4th October, 1387, to 12th February, 1812.†

F. Ferryhill.

1-73. Writs relative to the lands of Ferryhill, dating from 30th March, 1543, to 17th September, 1744. No. 67 is printed on p. 373, No. XXIII., and No. 68 on p. 148, No. XLV.‡

G. Gilcomston.

1-74. Writs relative to the lands of Gilcomston, dating from 28th May, 1541, to 21st September, 1814.§

K[1]. Kinmundy.

1-26. Writs relative to lands of Kinmundy, dating from 15th December, 1665, to 28th July, 1824. ‖

* Purchased by George Mowat, Dean of Guild, from Dr. James Gregory, 28th June, 1727, and conveyed by Town to Collector of Kirk Session in terms of Decreet Arbitral dated 29th March, 1788.

† The Superiority purchased for behoof of Guild Brethren's Hospital from Sir Alex. Bannerman, 1754.

‡ Mortified by Dr. Patrick Dun for the maintenance of four masters of the Grammar School. 3rd August, 1631.

§ Purchased by the Treasurer from Gilbert Menzies of Pitfoddels, for sum of 26,000 merks. 8th June, 1680. Feued out 1749 and subsequently.

‖ Purchased from Robert Menzies of Kinmundy for behoof of Guild Brethren's Hospital. 12th February, 1730, and feued out. Articles of Roup dated 14th August, 1749.

K². Kirkhill.

1-32. Writs relative to lands of Kirkhill dating from 31st March, 1550, to 13th November, 1754.*

M¹. Mortifications (1st Division).

1-3. Sir Alexander Hay, for support of Bridge of Don. 1st February, 1605, to 9th July, 1606. No. 1 is printed on p. 351, No. XIX., and No. 3 on p. 250, No. XX.

4, 5. John Johnston, for a bursary in Marischal College. 9th July, 1611, to April, 1633.

6. Duncan Liddell, for bursaries; v. *infra* p. 405, Note §.

7. James Cargill, for a bursary. 13th March, 1616.

8, 9. Alexander Irvine of Drum, for a bursary. 26th December, 1629, to 25th May, 1649.

10. Catharine Rolland, for a bursary. 9th December, 1659.

11. James Milne, „ 2nd June, 1677.

12. John Turner, „ 1st September, 1704.

13. Bishop Gilbert Burnet, „ 24th October, 1711.

14. Rev. Alexander Smith, „ 11th December, 1749.

15. Alexander Cullen, for Parish Church. 20th August, 1584.

16, 20, 21. James Rolland, for Futtie Church. 1st September, 1631, to 15th August, 1633.

17, 18. Thomas Gray, „ 20th May, 1633.

19. Andrew Meldrum, „ 20th May, 1633.

22. George Davidson, for Churches of Aberdeen and Newhills, etc. 7th May, 1663.

23-25. James Rolland, for a seat and burial lair in Town Kirk. 4th July, 1660, to 31st May, 1722.

26. Alexander Massie, for Church of St. Nicholas, Trades Hospital, etc. 15th April, 1740.

27. Duncan Liddel, for Chair of Mathematics in Marischal College. 9th December, 1613.

28-31. Patrick Copland, for Chair of Divinity in Marischal College. 27th January, 1616, to 21st December, 1625.

* Purchased, for sum of £870 sterling, from Colin Campbell, younger, son of Rev. Colin Campbell, Minister in Aberdeen, for behoof of the Six Mortifications (see p. 406, Note †), 13th November, 1754, and feued out in 1786.

32, 33*. Dr. William Guild, for an entrance to Marischal College. 11th March, 9th April, 1633.
34, 35. Bessy Lowson, for Secretary Reid's mortification. 12th August, 5th September, 1633.
36. Charter by Dr. Patrick Dun, printed on p. 373, No. XXIII.
37. George Robertson, for a bursar at Grammar School, etc. 26th October, 1644.
38. Baillie Robert Cruickshank, to Guild Box. 25th December, 1663.
39. Robert Cruickshank of Banchory, „ 18th March, 1715.
40, 41. Alexander Ritchie, „ 5th January, 1734, to 21st June, 1766.
42. Mass of Writs (19) anent Chaplains' feu-duties out of lands in Inverury, Essintully, and Findon, granted to burgh by A^2 27, 60, 72, and A^8 4, and mortified by burgh to St. Thomas' Hospital (19th August, 1575): dating from 27th April, 1475, to 2nd July, 1600.
43. Walter Wischert, to ditto. 20th August, 1601.
44. James Mowat, to ditto. 6th December, 1619.
45. George Currour, to ditto. 25th July, 1622.
46. John Fraser, to ditto. 11th January, 1754.
47. William Gerard, to ditto. 2nd July, 1767.
48. Mrs. Ann White, to ditto. 8th December, 1785.
49. Petition by Ann Cruden relative to ditto. 11th December, 1792.
50. Mrs. Mary Playfair, to Unmarried Women. 30th January, 1869.
51. Provost William Leslie, for support of his tomb. 13th June, 1882.

M^1. Mortifications (2nd Division).

1, 2. Lady Drum's, for poor widows and virgins. 26th May, 1633, to 25th April, 1641.
3. Agnes Durie (?) to Lady Drum's Hospital. 8th June, 1721.
4, 5. Writs relative to ditto. 5th May, 1798, to 18th June, 1807.
6. Lady Fraser of Durris, for various purposes. 23rd August, 1753.
7, 8. Robert Gordon, for a Hospital. 13th December, 1729.
9. Jean Guild, for poor widows and virgins. 24th December, 1634.
10. Jean Guild, for orphans (Black Friars Manse). 15th and 17th March, 1649.
11, 12. Masses of Writs (29) relative to last mortification. 29th August, 1618, to 9th September, 1675.
13, 14. Charter and Sasine by Marischal College, for purposes thereof. 9th September, 1675.

* The greater portion of Nos. 4 to 14 and 27 to 33 will be found printed in the *Fasti Academiæ Mariscallanæ* (New Spalding Club).

15, 16. Robert Johnstone, for the poor. 29th January, 1640.
17. John Kemp, for a school. 3rd April, 1713.
18. James Milne, for widows of burgesses. 2nd June, 1677.
19, 20. John Rickart, for support of his tomb, etc. 20th October, 1740, and 3rd December, 1744.
21. Lady Rothiemay, for a schoolmistress. 4th June, 1642.
22. Isobel Tosh, for the poor, etc. 6th June, 1624.
23. Decreet Arbitral anent purchase of lands of Muchals by Master of Mortifications. 30th July, 1761.
24-39. George Taylor, for decayed master tradesmen. 13th July, 1839.

M^2. Murtle.

1-50. Writs relative to the lands of Milltoun of Murtle. 26th September, 1550, to 5th August, 1797.*
1-7. Writs relative to lands of Southfield of Murtle. 15th July, 1612, to 24th September, 1650.†
1-13. Writs relative to the lands of Murtle. 1551 to 6th June, 1798.‡

P^1. Pettans.

1-13. Writs relative to the lands of Pettans, mortified by George Davidson for payment of a stipend to a minister (12th March, 1662) *v* "Bogfairly". 6th October, 1643, to 28th June, 1756.

P^2. Pitmedden.

1-8. Writs relative to lands of Pitmedden. 12th June, 1612, to 9th May, 1775.§ No. 4^2 is printed on p. 141, No. XLIV.

S^1. Shettocksley.

1-54. Writs relative to the lands of Shettocksley. 3rd March, $154\frac{7}{8}$, to 9th June, 1762.‖

* Mortified for sundry purposes by Catherine Rolland (9th December, 1659); and feued: Articles of Roup dated 5th August, 1797.

† Mortified and feued as above.

‡ Purchased by the Master of Mortifications from Alexander Irvine of Murtle. 26th August, 1758, and feued: Articles of Roup dated 7th April, 1759.

§ Mortified (12th June, 1612) for support of Bursars at Marischal College by Dr. Duncan Liddell; and feued: Articles of Roup dated 14th August, 1749.

‖ Part of the original patrimony of the burgh, feued, under Queen Mary's licence, 8th July, 1557, to Gilbert Tullideff. Purchased by Dean of Guild for behoof of Guild Wine Fund, from James Burnet, 21st September, 1677, and feued out 10th September, 1702. Repurchased by Treasurer from Jean Erskine, for sum of £1250, 10th September, 1759, and finally feued to James Young in 1767.

S². Skene.

1-106. Writs relative to the lands of Easter Skene. 14th January, $155\frac{3}{4}$, to 26th April, 1825.*

T¹. Torry.

1-49. Writs relative to the lands of Torry. 15th April, 1512, to 3rd March, 1619.

T². Torry.

1-55 Writs relative to the lands of Torry. 15th July, 1620, to 8th February, 1883.† No. 40 is printed on p. 222, No. LIV.

T³. Teinds.

1-26. Writs relative to the Teinds of St. Nicholas. 12th April, 1570, 22nd June, 1774.‡ No. 11 is printed on p. 199, No. XLVII.; No. 12 on p. 258, No. XXV.; No. 14 on p. 211, No. LII.; and No. 18 on p. 216, No. LIII.

* First portion purchased by the Dean of Guild from Alexander Maitland of Pittrichie, 29th May, 1710; second portion from David Young Baillie of Brechin, 16th May, 1712. Feued in 1788 and subsequently.

† Purchased by the Master of Mortifications from Sir William Forbes of Monymusk, for behoof of Six Mortifications Nos. 7, 27, 28, etc. See p. 403. Resignation dated 12th January, 1705. Feued out in 1786.

‡ Came into town's possession under Charters XLVI. and LIII., by Charles I. and George II. (see pp. 155, 216). Let to the heritors in tacks of 19 times 19 years, from Whitsunday, 1744.

TOWN COUNCIL REGISTER.

(Containing proceedings of the Council, the Baillie, Guild, and Head Courts.)*

Fragment (parchment roll).† 1317.
Vol. I. Michaelmas, 1398, to 18th April, 1407. 328 pp.
II. Michaelmas, 1408, to September, 1414. 219 pp.
III. Missing.
IV. 11th January, $143\frac{3}{4}$, to 28th February, $144\frac{7}{8}$. 522 pp.
V^1. 1st April, 1448, to 27th August, 1468. 644 pp.
V^2. 30th September, 1441, to 26th April, 1465. 206 pp.‡
VI. 14th November, 1466, to 30th December, 1486. 985 pp.§
VII. 1st February, $148\frac{6}{7}$, to 25th September, 1501. 1123 pp.
VIII. 4th October, 1501, to 13th November, 1509. 1211 pp.
IX. 20th July, 1511, to 18th December, 1517. 783 pp.
X. 4th October, 1518, to 23rd December, 1521. 396 pp.
XI. 23rd December, 1521, to 14th May, 1526. 722 pp.
XII^1. — July, 1526, to 28th September, 1528. 419 pp.
XII^2. 5th October, 1528, to 16th September, 1530. 464 pp.
XIII. 3rd October, 1530, to 26th September, 1532. 523 pp.
XIV. 30th September, 1532, to 11th September, 1535. 630 pp.
XV. 4th October, 1535, to 17th September, 1538. 738 pp.
XVI. 30th September, 1538, to 26th September, 1541. 887 pp.

* See *Extracts from the Council Register of the Burgh of Aberdeen* (Spalding Club), vol. i., 1398-1570; vol. ii., 1570-1625: *Ibid.* (Burgh Records Society), vol. i., 1625-1642; vol. ii., 1643-1747. The matter contained in the 1537 printed pages of these four volumes is probably only about one thirtieth of the contents of the 50,081 pages of the Council Register for the period 1398-1747. According to a Report by Mr. P. J. Anderson, submitted to the Council, 3rd May, 1886, the number of references requisite for a thoroughly satisfactory index (of subjects, names of persons, and names of places) to the 68,140 pages of the MS. Register 1398-1884, would be not less than one million and a-half.

† Printed *in extenso* in Spalding Club *Miscellany*, vol. v., p. 1.

‡ This volume contains only Guild Court proceedings.

§ From 1466 to 1468 the entries have reference to Guild Court proceedings.

XVII. 7th October, 1541, to 26th October, 1543. 631 pp.
XVIII. 29th October, 1543, to 23rd January, $154\frac{5}{6}$. 596 pp.
XIX. — January, $154\frac{5}{6}$, to 27th February, $154\frac{7}{8}$. 480 pp.
XX. 9th April, 1548, to 3rd June, 1551. 573 pp.
XXI. 17th July, 1551, to 8th March, $155\frac{4}{5}$. 866 pp.
XXII. 15th March, $155\frac{4}{5}$, to 5th August, 1558. 821 pp.
XXIII. 8th August, 1558, to 8th August, 1560. 338 pp.
XXIV. 30th September, 1560, to 15th June, 1563. 706 pp.
XXV. 28th June, 1563, to 28th September, 1565. 685 pp.
XXVI. 1st October, 1565, to 16th February, $156\frac{8}{9}$. 709 pp.
XXVII. 18th February, $156\frac{8}{9}$, to 27th March, 1573. 849 pp.
XXVIII. 3rd April, 1573, to 25th September, 1576. 806 pp.
XXIX. 1st October, 1576, to 15th January, $157\frac{79}{80}$. 890 pp.
XXX. 15th January, $157\frac{79}{80}$, to 27th October, 1582. 735 pp.
XXXI. 29th October, 1582, to 26th February, $158\frac{5}{6}$. 744 pp.
XXXII. 25th February, $158\frac{5}{6}$, to 14th February, $15\frac{89}{90}$. 644 pp.
XXXIII[1]. 13th January, $158\frac{8}{9}$, to 3rd December, 1590. 889 pp.
XXXIII[2]. 4th December, 1590, to 28th February, $159\frac{1}{2}$. 512 pp.
XXXIV[1]. 1st October, 1591, to 25th September, 1593. 513 pp.
XXXIV[2]. 2nd October, 1592, to 25th September, 1593. 452 pp.
XXXV. 26th September, 1593, to 25th September, 1594. 421 pp.
XXXVI[1]. 25th September, 1594, to 26th September, 1597. 773 pp.
XXXVI[2]. 28th September, 1597, to 1st March, $159\frac{7}{8}$.* 89 pp.
XXXVII. 28th September, 1597, to 27th September, 1598. 906 pp.
XXXVIII. 27th September, 1598, to 24th November, 1599. 989 pp.
XXXIX. 26th November, 1599, to 5th June, 1601. 1073 pp.
XL. 5th June, 1601, to 18th February, 1603. 1096 pp.
XLI. 22nd February, 1603, to 5th January, 1605. 1032 pp.
XLII. 8th January, 1605, to 7th February, 1607. 1140 pp.
XLIII. 7th February, 1607, to 29th July, 1609. 1151 pp.
XLIV. 1st August, 1609, to 9th July, 1611. 1138 pp.
XLV. 10th July, 1611, to 7th January, 1613. 904 pp.
XLVI. 12th January, 1613, to 14th November, 1614. 887 pp.
XLVII. 15th November, 1614, to 30th December, 1616. 840 pp.
XLVIII. 1st January, 1617, to 17th October, 1618. 552 pp.

* Council proceedings only.

XLIX. 20th October, 1618, to 18th May, 1621. 940 pp.
L. 19th May, 1621, to 8th June, 1624. 939 pp.
LI[1]. 25th September, 1622, to 1st September, 1630. 583 pp.
LI[2]. 11th June, 1624, to 12th March, 1629. 1038 pp.
LI[3]. 13th March, 1629, to 14th June, 1634. 850 pp.
LII[1]. 22nd September, 1630, to 19th June, 1644. 838 pp.
LII[2]. 17th June, 1634, to 24th December, 1639. 919 pp.
LIII[1]. 26th June, 1644, to 24th November, 1658. 644 pp.
LIII[2]. 7th January, 1640, to 26th April, 1648. 939 pp.
LIV. 1st December, 1658, to 27th February, 1667.* 735 pp.
LV. 6th March, 1667, to 10th February, 1675. 644 pp.
LVI. 17th February, 1675, to 12th July, 1682. 669 pp.
LVII. 19th July, 1682, to 20th December, 1704. 897 pp.
LVIII. 1st January, 1705, to 23rd September, 1721. 720 pp.
LIX. 27th September, 1721, to 18th September, 1728. 450 pp.
LX. 25th September, 1728, to 12th September, 1741. 726 pp.
LXI. 23rd September, 1741, to 18th September, 1753. 724 pp.
LXII. 24th September, 1753, to 11th October, 1763. 732 pp.
LXIII. 26th October, 1763, to 21st September, 1773. 458 pp.
LXIV. 22nd September, 1773, to 9th September, 1782. 512 pp.
LXV. 17th September, 1782, to 10th May, 1788. 464 pp.
LXVI. 3rd June, 1788, to 9th October, 1793. 518 pp.
LXVII. 29th October, 1793, to 21st May, 1800. 526 pp.
LXVIII.-XCV. 21st May, 1800, to 3rd March, 1884.† 14435 pp.

* From this volume onward the *Register* contains Council proceedings only.

† From 9th November, 1883, the Minutes have been printed and bound in one volume yearly.

BURGH REGISTER OF SASINES.*

I. 2nd June, 1484, to 10th January, $150\frac{1}{2}$.
II. 10th January, $150\frac{1}{2}$, to 5th June, 1507.†
III. 8th May, 1507, to 26th July, 1514.
IV. 17th August, 1517, to 24th January, $154\frac{3}{4}$.
V[1]. Protocol Book of David Nicolson.‡ 9th February, $152\frac{0}{1}$, to 12th January, $153\frac{4}{5}$.
V[2]. Protocol Book of David Setton. 28th June, 1534, to 21st January, $157\frac{7}{8}$.
VI. Protocol Book of John Nicolson. 25th November, 1535, to 5th May, 1545.
VII. Protocol Book of John Kennedy.§ 20th November, 1542,‖ to 12th August, 1555.
VIII. Protocol Book of John Nicholson. 18th May, 1545, to 10th December, 1558.
IX. *Ibid.* 3rd July, 1554, to 30th August, 1558.
X. Protocol Book of John Kennedy. 7th April, 1555, to 21st January, $155\frac{6}{7}$.
XI. *Ibid.* 9th April, 1557, to 27th October, 1563.
XII. *Ibid.* 2nd September, 1564, to 28th October, 1568.
XIII. *Ibid.* 22nd April, 1567, to 31st March, 1572.
XIV. *Ibid.* 8th November, 1568, to 30th March, 1576.
XV. *Ibid.* 9th April, 1572, to 28th February, $157\frac{4}{5}$.

* See Note by David Laing on the subject of Protocol Books in *Proc. Soc. Ant. Scot.*, Vol. ii., p. 350. *Cf.* Notes by Thomas Thomson on pp. 352, 384; Vol. v., p. 141.

† There are no entries from May, 1502, to April, 1503.

‡ Appears as Depute Town Clerk in 1530 (*C. R.*, xiii. 47).

§ Admitted Depute in 1568 (*C. R.*, xxvi. 391); and Principal Clerk in 1588 (*C. R*, xxxii. 459).

‖ The second entry is dated 29th March, 1550.

XVI. Protocol Book (No. 1) of Thomas Mollison.* 30th July, 1573, to 5th August, 1577.

XVII[1]. Protocol Book of John Kennedy. 19th April, 1572, to 13th October, 1578.

XVII[2]. *Ibid.* 4th April, 1576, to 17th March, $158\frac{6}{1}$.

XVIII. Protocol Book (No. 2) of Thomas Mollison. 8th August, 1577, to 4th March, $158\frac{8}{9}$.

XIX. Protocol Book of John Kennedy. 26th March, 1578, to 12th March, $158\frac{1}{2}$.

XX. *Ibid.* 28th March, 1582, to 31st December, 1587.

XXI. Protocol Book (No. 2 *bis*) of Thomas Mollison. 20th April, 1584, to 30th April, 1588.†

XXII. Protocol Book of John Kennedy. 6th April, 1588, to 7th June, 1589.

XXIII. Protocol Book (No. 3) of Thomas Mollison. 4th May, 1588, to 10th November, 1591.‡

XXIV. *Ibid.* (No. 4). 11th November, 1591, to 22nd May, 1595.

XXV. *Ibid.* (No. 5). 23rd May, 1595, to 14th May, 1597.

XXVI. *Ibid.* (No. 6). 14th May, 1597, to 1st March, $159\frac{8}{9}$.

XXVII. Protocol Book (No. 1) of Walter Robertson.§ 10th November, 1593, to 4th April, 1601.

XXVIII. Protocol Book (No. 7) of Thomas Mollison. 14th March, $159\frac{8}{9}$, to 17th March, 1603.

XXIX. Protocol Book (No. 2) of Walter Robertson. 8th May, 1601, to 3rd March, 1624.

XXX. Protocol Book (No. 9) of Thomas Mollison. 19th March, 1603, to 8th June, 1607.

XXXI. *Ibid.* (No. 10). 10th June, 1607, to 16th November, 1610.

XXXII. *Ibid.* (No. 11). 17th November, 1610, to 23rd March, 1614.

XXXIII. *Ibid.* (No. 12). 19th April, 1614, to 12th September, 1617.

XXXIV. *Ibid.* (No. 13). 15th September, 1617, to 19th July, 1621.

XXXV. *Ibid.* (No. 14). 19th July, 1621, to 21st October, 1622.

XXXVI. Protocol Book (No. 3) of Walter Robertson. 4th March, 1624, to 19th January, 1630.

* Admitted Depute in 1588 (*C. R.*, xxxii. 459); and Principal Clerk, 1593 (*C. R.*, xxxiv. 962); died 3rd November, 1622 (*Minute Book*).

† All the entries in this volume are transcribed in vol. xviii. above.

‡ The entries on pp. 1-106 are transcribed in vol. xviii.

§ Admitted Principal Clerk in 1622 (*C. R.*, l. 448); died 7th April, 1643 (*M. B.*).

XXXVII. Protocol Book of John Ingram (No. 1).* 25th January, 1622. to 24th October, 1636. And Protocol Book of George, Robertson. 13th February, 1633, to 2nd May, 1644.

XXXVIII. Protocol Book (No. 4) of Walter Robertson. 1st February, 1630, to 19th September, 1637.

XXXIX. *Ibid.* (No. 5). 3rd October, 1637, to 9th February, 1643.

XL. Protocol Book of Patrick Chalmers.† 19th May, 1643, to 21st November, 1646. And Protocol Book of John Chalmers.‡ 1st December, 1646, to 11th November, 1648.

XLI. Protocol Book of Thomas Mowat.§ 26th February, 1648, to 28th November, 1648.

XLII. Protocol Book (No. 1) of James Sandilands.‖ 10th January, 1649, to 28th October, 1654.

XLIII. *Ibid.* (No. 2). 2nd November, 1654, to 21st August, 1660.

XLIV. Protocol Book of John Alexander.¶ 6th September, 1660, to 30th November, 1661. And Protocol Book of James Kennedy.** 14th December, 1661, to 23rd February, 1667.

XLV. Protocol Book of James Kennedy. 23rd February, 1667, to 17th February, 1672.

XLVI. Protocol Book (No. 1) of Alexander Robertson.†† 2nd March, 1672, to 11th May, 1674.

XLVII. *Ibid.* (No. 2). 27th May, 1674, to 26th August, 1676.

XLVIII. *Ibid.* (No. 3). 11th September, 1676, to 25th October, 1679.

XLIX. *Ibid.* (No. 4). 23rd October, 1679, to 11th June, 1684.

* Admitted Depute in 1628 (*C. R.*, li[1]. 425).

† Admitted Town Clerk in 1643 (*C. R.*, lii[1]. 790); died 3rd December, 1646 (*M. B.*).

‡ Admitted conjunct Clerk with John Chalmers in 1647 (*C. R.*, liii[1]. 113).

§ Admitted Depute in 1643 (*C. R.*, lii[1]. 793), and Principal Clerk in 1647 (liii[1]. 110); resigns in 1647 (liii[1]. 194).

‖ Admitted Town Clerk 10th January, 1649 (*C. R.*, liii[1]. 200); died 17th August, 1660 (*M. B.*).

¶ Admitted Town Clerk 22nd August, 1660 (*C. R.*, liv. 202); died 21st March, 1661 (*M.B.*). Not being a Notary, he granted no sasines. His depute, Alexander Bruce, acted, but there are no entries from December, 1660, to April, 1661.

** Admitted Town Clerk 7th December, 1661 (*C. R.*, liv. 267); dismissed in 1672 (*C. R.*, lv. 373).

†† Admitted Town Clerk 1st March, 1672 (*C. R.*, lv. 376).

L. Protocol Book (No. 5). 10th June, 1684, to 1st October, 1688.

LI. *Ibid.* (No. 6). 1st October, 1688, to 26th March, 1692. And Protocol Book (No. 1) of John Moir.* 31st March, 1692, to 8th March, 1694.

LII. Protocol Book (No. 2) of John Moir. 8th March, 1694, to 11th August, 1694. And Protocol Book (No. 1) of Alexander Thomson.† 25th August, 1694, to 13th August, 1700.

LIII. Protocol Book (No. 2) of Alexander Thomson. 9th September, 1700, to 23rd December, 1709.

LIV. *Ibid.* (No. 3) 21st January, 1710, to 29th November, 1714.

LV. *Ibid.* (No. 4) 3rd January, 1715, to 23rd December, 1721.

LVI. *Ibid.* (No. 5) 22nd January, 1722, to 20th June, 1727.

LVII. Protocol Book (No. 1) of Robert Thomson.‡ 27th June, 1727, to 16th December, 1731.

LVIII. *Ibid.* (No. 2) 22nd January, 1732, to 7th July, 1740.

LIX. *Ibid.* (No. 3) 12th July, 1740, to 29th April, 1747.

LX. *Ibid.* (No. 4). 30th April, 1747, to 27th July, 1752.

LXI. *Ibid.* (No. 5). 11th August, 1752, to 3rd May, 1756.

LXII. *Ibid.* (No. 6). 17th May, 1756, to 16th May, 1759.

LXIII. *Ibid.* (No. 7). 16th May, 1759, to 14th February, 1763.

LXIV. *Ibid.* (No. 8). 19th February, 1763, to 23rd August, 1766.

LXV. *Ibid.* (No. 9). 5th September, 1766, to 20th April, 1767. And Protocol Book of Alexander Carnegie (No. 1).§ 7th May, 1767, to 23rd December 1769.

LXVI. Protocol Book (No. 2) of Alexander Carnegie. 23rd December, 1769, to 16th Jauuary, 1772.

LXVII. *Ibid.* (No. 3) 23rd January, 1772, to 17th November, 1773.

LXIX. *Ibid.* (No. 4). 18th November, 1773, to 12th January, 1775.

LXX. *Ibid.* (No. 5). 14th January, 1775, to 3rd July, 1776.

LXXI. *Ibid.* (No. 6). 3rd July, 1776, to 26th November, 1778.

LXXII. *Ibid.* (No. 7). 11th December, 1778, to 23rd January, 1781.

LXXIII. *Ibid.* (No. 8). 7th February, 1781, to 26th June, 1783.

LXXIV. *Ibid.* (No. 9). 7th July, 1783, to 9th June, 1784.

* Admitted conjunct Clerk with Alexander Robertson in 1689 (*C. R.*, lvii. 302, 312).

† Admitted conjunct Clerk with John Moir in 1694 (*C. R.*, lvii. 449).

‡ Admitted conjunct Clerk with his father in 1724 (*C. R.*, lix. 142). Died 29th April, 1767 (*M. B.*).

§ Admitted conjunct Clerk with Robert Thomson in 1762 (*C. R.*, lxii. 328).

LXXV. Protocol Book (No. 10). 9th June, 1784, to 1st May, 1786.
LXXVI. *Ibid.* (No. 11). 3rd May, 1786, to 10th December, 1788.
LXXVII. *Ibid.* (No. 12). 10th December, 1788, to 4th September, 1790.
LXXVIII. *Ibid.* (No. 13). 8th October, 1790, to 14th July, 1792.
LXXIX. *Ibid.* (No. 14). 17th July, 1792, to 26th February, 1794.
LXXX. *Ibid.* (No. 15). 11th March, 1794, to 18th October, 1795.
LXXXI. *Ibid.* (No. 16). 19th October, 1795, to 26th July, 1797.
LXXXII[1]. *Ibid.* (No. 17). 1st August, 1797, to 31st May, 1799.
LXXXII[2]. *Ibid.* (No. 18). 1st June, 1799, to 31st December, 1800.
LXXXIII.-LXXXVII. *Ibid.* (Nos 19-23) 31st December, 1800, to 15th May, 1806.
LXXVII. (*cont.*) to LXXXIX. Protocol Books (Nos. 1-3) of William Carnegie.* 29th May, 1806, to 11th November, 1809.

A new series begins 22nd November, 1809, and up to October, 1889, numbers 205 volumes.

Minute Books.— I. 30th July, 1573, to 8th March, 1694.
II. 8th March, 1694, to 29th October, 1791.
III.—To date.

* Admitted conjunct Clerk with his father in 1793 (*C. R.*, lxxvii. 8).

REGISTER OF DEEDS RECORDED IN THE BURGH COURT.

First Series.

Vol. I. 5th May, 1569, to 20th September, 1575.
II. 4th September, 1575, to 27th December, 1594.
III. 9th May, 1594, to 9th June, 1598.
IV. 10th June, 1598, to 16th December, 1606.
V. 17th January, 1607, to 7th August, 1616.
VI. 31st August, 1616, to 30th December, 1626.
VII. 6th January, 1627, to 28th November, 1637.
VIII. 30th November, 1637, to 28th June 1643.
IX. 13th December, 1648, to — January, 1660.
X. 14th January, 1660, to 5th July, 1667.
XI. 5th July, 1667, to 6th August, 1675.
XII. 4th March, 1682, to 29th March, 1687.
XIII. 4th January, 1689, to 24th December, 1703.
XIV. 5th January, 1704, to 1st July, 1710.

Minute Book, 5th May, 1569, to 17th June, 1640.
Do., 21st January, 1650, to 26th May, 1696.

*Second Series.**

Vols. I. to XIII. 14th November, 1809, to 11th February, 1880.

Minute Book, January, 1753, to September, 1815.
Do., October, 1815, to February, 1869.

The original deeds are preserved tied up in bundles:
1590-1710, 18 bundles.
1710-1809, 48 „
1809 to date, 10 „
Various dates, 4 „

* Under Act 49, Geo. III., cap. 42.

ACCOUNTS.

(1) *Treasury.*[*]

Vol. I[1]. Accounts of Collector of Chaplain's Feuduties for year 1605.
Do. Guildry, 1612-13.
Do. Guild Box, 1618-19.
Do. Treasury, 1559-60, 1595-6 to 1596-7, 1600-1, 1607-8, 1637-8 (Rentals for same year, 1638-9, 1641-2, Rental for 1645-6), 1690-1 to 1691-2.
Accounts of Kirk and Bridge Works, Rental for 1642-3.
Do. Hospital, 1606-7, 1619-20 (Rentals for 1629-30, 1634-5, and 1641-2).

I[2]. Accounts of Treasury, 1614-5, 1620-1, 1623-24 to 1624-25 (Rental 1629), 1702-3.
Guildry Casualties, 1689-90.
Accounts of Repairing Bridge of Don, 1607 to 1609.
Do. Kirk and Bridge Works, 1622-3.
Do. Mortifications, 1694-5 to 1695-6.
Do. Shore Works, 1607-8, 1626-7, 1639-40.

I[3]. Treasury Accounts for years 1577-8 to 1578-9, 1582-3 to 1585-6, 1588-9 to 1589-90, 1591-2 to 1592-3, 1594-5, 1597-8 to 1599-1600, 1610-2 to 1605-6, 1608-9, 1610-11, 1612-13 to 1613-14, 1617-18 to 1619-20, 1624-25 to 1636-7, 1638-9 to 1658-59.
1611-12 (unbound).

II. Accounts for years 1669-60 to 1689-90, 1692-3 to 1699-1700.
III. Do. 1700-1 to 1724-5.
IV. Do. 1725-6 to 1749-50.
V. Do. 1750-1 to 1769-70.
VI. Do. 1770-1 to 1779-80.
VII. Do. 1780-1 to 1789-90.
VIII. Do. 1790-1 to 1799-1800.
IX. Do. 1800-1 to 1805-6.
X. Do. 1806-7 to 1811-2.†

* See Spalding Club *Miscellany*, vol. v., p. 111.

† From 1812 onwards the Accounts form two series, "Treasury" and "Officebearers," the latter including Mortifications, Kirk and Bridge Works, Guildry, and Hospital.

(2) *Mortifications.*

Vol. I. Accounts of Dr. Liddel's Mortification, 1615 to 1622.
Treasury Accounts, 1621-2 to 1622-3.
Mortification Accounts,* 1622-3 to 1672-3.
II. Mortification Accounts for years 1673-4 to 1699-1700. (See also *Treasury Accounts*, vol. i².)
III. Mortification Accounts for years 1700-1 to 1712-3.
IV. Do. 1713-4 to 1724-5.
V. Do. 1725-6 to 1736-7.
VI. Do. 1737-8 to 1738-9, 1740-1 to 1749-50.
VII. Do. 1750-1 to 1759-60.
VIII. Do. 1760-1 to 1769-70.
IX. Do. 1770-1 to 1775-6, 1777-8 to 1778-79.
X. Do. 1779-80 to 1785-6.
XI. Do. 1786-7 to 1792-3.
XII. Do. 1793-4 to 1799-1800.
XIII. Do. 1800-1 to 1805-6.
XIV. Do. 1806-7 to 1811-2.

(3) *Kirk and Bridge Works.*

Vol. I. Accounts for years 1571-2 to 1577-8, 1584-5 to 1621-2, 1623-4, 1627-8, 1630-1, 1635-6, 1640-1 to 1669-70, 1690-1 to 1691-2. (See also *Treasury Accounts*, vols. i¹., i².)
II. Accounts for years 1670-1 to 1689-90, 1692-3 to 1699-1700.
III. Do. 1700-1 to 1724-5.
IV. Do. 1725-6 to 1739-40, 1742-3 to 1749-50.
V. Do. 1750-1 to 1769-70.
VI. Do. 1770-1 to 1779-80.
VII. Do. 1780-1 to 1789-90.
VIII. Do. 1790-1 to 1799-1800.
IX. Do. 1800-1 to 1811-2.

(4) *Shore Works.*

Vol. I. Accounts for years 1596-7 to 1599-1600, 1605-6, 1608-9 to 1614-5, 1617-8 to 1618-9, 1620-1 to 1625-6, 1627-8 to 1630-1, 1633-4 to 1690-91, 1692-3 to 1699-1700. (See also *Treasury Accounts* vol. i².)

* A Master of Mortifications was first appointed in 1632: prior to that date the accounts of the few mortifications were kept by the Treasurer, Master of Hospital, Dean of Guild, and Master of Kirk and Bridge Works respectively.

II. Accounts for years 1700-1 to 1769-70.
III. Do. 1770-1 to 1784-5.
IV. Do. 1785-6 to 1799-1800.
V. Do. 1800-1 to 1809-10.*

(5) *Guildry.*†

Vol. I. Accounts for years 1452-3, 1548-9 to 1551-2, 1581-2 to 1583-4, 1586-7, 1593-4 to 1599-1600, 1601-2, 1603-4 to 1611-2, 1613-4 to 1629-30, 1631-2 to 1633-4, 1635-6, 1637-8, 1639-40 to 1643-4, 1647-8, 1649-50. (See also *Treasury Accounts*, vol. i[1].)
II. Accounts for years 1650-1 to 1679-80.
III. Do. 1680-1 to 1699-1700.
IV. Do. 1700-1 to 1723-4.
V. Do. 1724-5 to 1749-50.
VI. Do. 1750-1 to 1769-70.
VII. Do. 1770-1 to 1779-80.
VIII. Do. 1780-1 to 1789-90.
IX. Do. 1790-1 to 1799-1800.
X. Do. 1800-1 to 1811-2.

(6) *Guild Brethren Hospital.*

Vol. I. Accounts for years 1607-8, 1609-10 to 1610-11, 1612-3 to 1614-5, 1616-7 to 1617-8, 1620-1 to 1629-30, 1631-2 to 1699-1700. (See also *Treasury Accounts*, vol. i[1].)
II. Accounts for years 1700-1 to 1736-7, 1738-9 to 1748-9.
III. Do. 1750-1 to 1769-70.
IV. Do. 1770-1 to 1779-80.
V. Do. 1780-1 to 1789-90.
VI. Do. 1790-1 to 1799-1800.
VII. Do. 1800-1 to 1811-2.

* By Act of 1810 (v. *supra*, p. 283), the management of the Harbour was placed under Trustees, whose accounts are separately kept.

† See Spalding Club *Miscellany*, vol. v., p. 48,

BAILLIE COURT BOOKS.

First Series.

Vol. I. 21st April, 1572, to 28th September, 1576.*
II. 7th April, 1581, to 28th September, 1582.
III. 3rd April, 1584, to 19th December, 1585.
IV. 10th February, 158$\frac{5}{6}$, to 2nd September, 1587.
V. 18th November, 1594, to 23rd September, 1595.
VI. 24th June, 1596, to 28th September, 1597.
VII. 2nd June, 1648, to 16th October, 1652.
VIII. 16th October, 1652, to 15th December, 1657.
IX. 17th December, 1657, to 16th January, 1662.
X. 7th June, 1662, to 8th December, 1668.
XI. 8th December, 1668, to 25th June, 1672.
XII. 7th May, 1672, to 9th September, 1675.
XIII. 18th January, 1676, to 28th February, 1682.
XIV. 29th March, 1687, to 16th November, 1691.†

Second Series (Diet Books).

I. 10th April, 1731, to 30th September, 1741.
II. 10th October, 1741, to 20th August, 1753.
III. 1st September, 1753, to 15th September, 1759.
IV. 29th September, 1759, to 30th May, 1766.
V. 10th May, 1766, to 28th October, 1769.
VI. 4th November, 1769, to 9th November, 1771.
VII. 16th November, 1771, to 3rd May, 1773.
VIII. 12th June, 1773, to 8th April, 1775.
IX. 6th May, 1775, to 14th June, 1777.
X. 5th July, 1777, to 11th December, 1779.
XI.-XXVIII. 15th January, 1780, to 24th February, 1821.

GUILD COURT BOOK.

7th September, 1637, to 23rd December, 1697.

* A volume of Aberdeen Baillie Court Records, 1563 to 1581 (36 pp.), is preserved in H.M. General Register House, Edinburgh.

† Besides the ordinary transactions of the Baillie Court (and in some cases of the Council), these volumes contain deeds inserted principally at the end of each.

JUSTICE COURT BOOKS.*

Vol. I. 19th January, 1657, to 16th January, 1688.
II. 12th April, 1669, to 4th August, 1690.†
III. 4th January, 1693, to 7th April, 1702.
IV. 20th October, 1690, to 24th April, 1783.
Accounts of said Court, 1657, to 1744.

ENACTMENT BOOKS.‡

Vol. I. February, 1701, to 31st September, 1709.
II. 31st October, 1709, to 5th July, 1717.
III. 22nd February, 1717, to 22nd October, 1730.
IV. 29th October, 1730, to 15th September, 1741.
V. 20th October, 1741, to 3rd November, 1749.
VI. 27th December, 1749, to 15th March, 1758.
VII. 29th March, 1758, to 31st May, 1782.
VIII. 17th June, 1782, to 24th April, 1790.
IX. 13th May, 1790, to 28th September, 1793.
X. 4th October, 1793, to 2nd May, 1806.
XI.-XVI. 28th May, 1806, to 27th January, 1820.

PROPINQUITY BOOKS.§

Vol. I 9th January, 1637, to 19th November, 1705.
II. 14th July, 1706, to 10th October, 1730.
III. 25th April, 1730, to 6th April, 1765.
IV. 27th April, 1765, to 10th March, 1797.

* "Containing the Acts of the Magistrats of the Burgh of Aberdeen and Justices of Peace within the samen, libertie and fredome thereof, relating especiallie to the punishing of uncleane persons, drunkards, cursers, and swearers and breakers of the Sabbath."

† Appears to be a scroll book.

‡ These volumes contain depositions made before the Baillies.

§ These volumes contain depositions made before the Baillies, relating not merely to questions of relationship, but to matters connected with shipping, etc. See Spalding Club *Miscellany*, vol. v., p. 325; and New Spalding Club *Miscellany*, vol. i.

INCARCERATION AND LIBERATION BOOKS.*

Vol. I. 9th June, 1625, to 15th January, 1709.
II. 7th February, 1709, to 28th September, 1759.
III. 6th October. 1759, to 8th December, 1788.
IV.-VIII. 14th June, 1805, to 28th July, 1831.

REGISTER OF INDENTURES.†

Vol. I. 9th February, 1622, to 30th April, 1798.
II. 4th May, 1798, to 30th December, 1826.
III. 20th January, 1807, to date.

REGISTER OF ADMISSION OF BURGESSES OF GUILD AND CRAFTSMEN.‡

Vol. I. 6th October, 1632, to 24th January, 1694.
II. 4th April, 1694, to 15th December, 1760.
III. 21st April, 1761, to 20th October, 1796.
IV[1]. 22nd November, 1796, to 22nd September, 1812. } Guild Burgesses
V[1].-VIII[1]. 11th February, 1813, to date. } only.
IV[2]. 27th September, 1797, to 5th October, 1825. } Trades Burgesses only.
V[2].-VII. 17th October, 1825, to date. }

REGISTER OF HONORARY BURGESSES.

Vol. I. 19th September, 1783, to date.

* "Ane Register for the Wardhous of Aberdeine, Conteining a nott of all such persones as ar cōmitted and arrested in the said ward, with a nott at whose Instance and for what caus they are cōmitted or arrested."

† "Ane Register institute be the Prouest Baillies and Councell of the Burgh of Aberdeine Whairin is appoyntit to be Registrat ane Nott of all prentesses enterit in the said Burgh ather to merchents or Craftesmen for what space of tyme and to whome they ar bund prenteisses with the dait of their Indentoures whilk Register is institute be Act of Councell of the date the Nyntein day of September Jm sex hundreth threttie and twa yeres."

‡ Entries of the admission of burgesses are found in the *Council Register* from the earliest date. See New Spalding Club *Miscellany*, vol. i.

LETTERS, ETC., RECEIVED.*

Vol. I. 14th March, $155\frac{2}{3}$, to 18th September, 1633.
II. 13th January, 1634, to 25th December, 1644.
III. 18th January, 1645, to 15th November, 1659.
IV. 14th January, 1660, to 31st December, 1669.
V. 4th January, 1670, to $\frac{21}{31}$st December, 1675.
VI. 6th January, 1676, to 14th December, 1681.
VII. 15th January, 1682, to 22nd December, 1699.
VIII. 8th January, 1700, to 21st December, 1719.
IX. 5th January, 1720, to 26th December, 1739.
X. 5th February, 1740, to 16th November, 1749.
XI. 17th April, 1750, to 24th November, 1759.
XII. 8th January, 1760, to 11th October, 1769.
XIII. 10th January, 1770, to 28th October, 1789.
XIV. 6th March, 1790, to 8th September, 1799.
Several Series of Letter Books, 1800 to date.

Supplementary Vol. I. 21st February, 1615, to 13th November, 1759.
Do. II. 28th January, 1760, to 20th December, 1764.
Do. III. 3rd January, 1765, to 29th December, 1766.
Do. IV. 3rd Jannary, 1767, to 29th December, 1769.
Do. V. 16th January, 1770, to 10th October, 1794.
Do. VI. 3rd January, 1795, to 17th September, 1807.

COPIES OF LETTERS SENT.

Vol. I. 17th February, 1729, to 23rd January, 1738.
II. 11th August, 1738, to 22nd December, 1747.
III. 4th January, 1748, to 25th March, 1755.
IV. 22nd March, 1755, to 1st November, 1759.
V. 8th November, 1759, to 11th April, 1764.
VI. 19th April, 1764, to 26th May, 1768.
VII. 31st May, 1768, to 6th September, 1773.
VIII. 17th November, 1773, to 1st February, 1781.
IX. 12th February, 1781, to 17th May, 1787.
X. 7th June, 1787, to 31st December, 1795.
XI. 14th January, 1796, to 22nd May, 1802.
Several Series of Letter Books to date.

* See Spalding Club *Miscellany*, vol. v., p. 371.

PROCLAMATION BOOKS.

Vol. I. 5th January, 159^{2}_{3}, to 21st November, 1831.
II. 2nd January, 1764, to 13th October, 1857.

REGISTER OF MORTIFICATIONS.*

Vol. I. 15th June, 1596, to 27th July, 1749.
II. 20th February, 1754, to 20th January, 1864.

RECORDS OF COMMISSIONERS OF POLICE.

Vol. I. 6th June, 1795, to 8th May, 1809.
II.-XXI. 23rd May, 1809, to 3rd March, 1884.†

RECORDS OF VISITATIONS OF GRAMMAR SCHOOL.

Vol. I. October, 1764, to October, 1855.
II. October, 1856, to October, 1872.

GUILDRY MINUTE BOOKS.

Vol. I. 14th December, 1732, to 14th August, 1793.
II. 2nd December, 1793, to 4th November, 1833.
III.-V. 29th March, 1833, to date.

WEAVERS' ENACTMENT BOOKS.‡

Vol. I. 20th May, 1729, to 27th May, 1729.
II. 22nd May, 1729, to 9th June, 1729.
III. 3rd May, 1738, to 18th May, 1738.

* See *Mortifications under the Charge of the Provost, etc., of Aberdeen*, 1849; and *Supplement* to do., 1874.

† From 16th November, 1883, the Minutes have been printed and bound in one volume yearly.

‡ In terms of Justice of Peace order, dated 12th May, 1729.

CHARTULARY OF FEUS OF FREEDOM LANDS.

Vol. I. 11th September, 1729, to 23rd September, 1754.*
II. 8th March, 1756, to 14th April, 1774.
III. 15th April, 1774, to 3rd December, 1791.
IV. 6th July, 1792, to 7th September, 1804.
V.-IX. 7th September, 1804, to date.

CHARTULARY OF FEUS OF COUNTY LANDS.

Vol. I. as above.
II. 22nd March, 1756, to 28th March, 1775.
III. 19th February, 1777, to 17th April, 1788.
IV. 22nd September, 1789, to 11th March, 1802.
V.-VIII. 11th March, 1802, to date.

Book of Wadsetters for Shire of Aberdeen.† 1633-1646.

Book of Burgh Statutes. 7th October, 1650, to 14th October, 1683.

Chartulary of St. Nicholas Church. 1st March, $132\frac{8}{9}$, to 8th July, 1574 (115 folios).‡

Register of Annual Rents and Feumaills formerly belonging to Chaplains, etc., of St. Nicholas Church. 1599 to 1613.

Directory for St. Nicholas Churchyard. 1790.

Record of Additional Fund to Guild Box. 1st February, 1737, to Michaelmas, 1786.

Memorial and Consultation Book. 11th March, 1726, to 16th January, 1812.

Scroll Council Register. 22nd November, 1652, to 20th January, 1686.

Books relating to Rebellion of 1745. 3 vols. 27th December, 1745, to 23rd May, 1746.

Bible, printed by Robert Barker, London, 1617. Presented by Gilbert Hervie, Elder, to the Hospital of Aberdeen, 18th May, 1631.

Bible, printed by Robert Barker, London, 1634. Precentor's Bible in Old East Church.

* Also contains Charters of County Lands.

† Partly printed in Spalding Club *Miscellany*, vol. iv., p. 71.

‡ Printed for the New Spalding Club in 1888.

II.—RECORDS UNDER THE CHARGE OF THE SHERIFF CLERK OF ABERDEENSHIRE.

DIET BOOKS OF COURT.

Vol I. 31st July, 1503, to 30th September, 1511.
II. 11th January, 1557, to 22nd June, 1560.
III. 12th January, 1573, to 9th October, 1576.
IV. 19th June, 1584, to 30th November, 1584.
V. 25th June, 1595, to 24th June, 1596.
VI. 3rd October, 1598, to 22nd May, 1621.
VII. 16th February, 1603, to 5th September, 1604.
VIII. 11th January, 1603, to 14th June, 1622.
IX. — June, 1607, to 20th December, 1620.
X. 3rd June, 1629, to 29th March, 1634.
XI. 22nd June, 1641, to 12th December, 1649.
XII. 2nd October, 1649, to 13th July, 1653.
XIII. 17th January, 1656, to 2nd March, 1659.
XIV. 4th October, 1665, to 28th February, 1672.
XV. 3rd October, 1677, to 12th July, 1678.
XVI. 24th July, 1678, to 2nd January, 1684.
XVII. 12th September, 1690, to 22nd July, 1692.
XVIII. 4th October, 1692, to 30th July, 1697.
XIX. 5th October, 1697, to 4th September, 1702.
XX. 6th October, 1702, to 21st August, 1706.
XXI. 1st October, 1706, to 30th July, 1714.
XXII. 5th October, 1714, to 10th January, 1718.
XXIII. — April, 1718, to — July, 1721.
XXIV. — June, 1721, to — January, 1723.
XXV. 11th January, 1723, to 9th February, 1728.
XXVI. 15th April, 1728, to 9th January, 1734.

XXVII. 20th February, 1734, to 5th October, 1737.
XXVIII. 2nd November, 1737, to 18th July, 1740.
XXIX. 3rd February, 1742, to 3rd October, 1744.
XXX. 3rd June, 1747, to 13th July, 1749.
XXXI. 14th July, 1749, to 16th January, 1751.
XXXII.-CXXVI. 18th January, 1751, to date.

DECREE BOOKS.

Vol I. 18th June, 1597, to 1st October, 1644.
II. 15th January, 1617, to 18th March, 1618.
III. 5th June, 1629, to 29th March, 1634.
IV. 16th April, 1634, to 23rd June, 1641.
V. 29th March, 1634, to 29th June, 1636.
VI. 1st July, 1636, to 14th November, 1638.
VII. 19th December, 1638, to 5th January, 1642.
VIII. 12th January, 1642, to 22nd June, 1649.
IX. 7th September, 1649, to 21st July, 1652.
X. 4th August, 1652, to 18th August, 1654.
XI. 22nd December, 1655, to 18th April, 1656.
XII. 4th June, 1656, to 12th August, 1657.
XIII. 7th October, 1657, to 17th December, 1662.
XIV. 7th October, 1691, to 7th February, 1693.
XV. 1st July, 1701, to 28th November, 1744.
XVI. 10th July, 1745, to 20th November, 1751.
XVII. 30th October, 1751, to 20th October, 1757.
XVIII. 21st October, 1757, to 28th August, 1761.
XIX. 25th September, 1761, to 8th July, 1767.
XX. 10th July, 1767, to 25th November, 1774.
XXI. 2nd December, 1774, to 21st February, 1781
XXII. 23rd February, 1781, to 15th March, 1786.
XXIII. 15th March, 1786, to 30th July, 1788.
XXIV. 1st August, 1788, to 22nd February, 1793.
XXV. 27th February, 1793, to 12th February, 1800.
XXVI.-XXXVII. 13th November, 1807, to date.

REGISTER BOOKS OF PROTESTS.

Vols. XI.-L. 15th November, 1809, to date.

REGISTERS OF DEEDS.

Old Series.

Vol. I. 18th October, 1606, to 8th October, 1612.
II. 6th June, 1615, to 3rd September, 1616.
III. 16th June, 1619, to 25th October, 1620.
IV. 17th April, 1621, to 5th October, 1622.
V. 12th October, 1622, to 24th October, 1623.
VI. 24th October, 1623, to 23rd November, 1624.
VII. 23rd November, 1624, to 10th March, 1627.
VIII. 1st December, 1630, to 6th July, 1632.
IX. 18th July, 1632, to 2nd November, 1633.
X. 4th November, 1633 to 18th November, 1634.
XI. 20th November, 1634, to 9th June, 1636.
XII. 23rd November, 1637, to 30th December, 1640.
XIII. 20th November, 1649, to 31st December, 1650.
XIV. 1st January, 1651, to 6th February, 1652.
XV. 12th February, 1652, to 20th April, 1653.
XVI. 21st April, 1653, to 4th July, 1654.
XVII. 6th July, 1654, to 25th October, 1655.
XVIII. 2nd November, 1655, to 29th October, 1656.
XIX. 29th October, 1656, to 19th November, 1657.
XX. 21st November, 1657, to 11th October, 1658.
XXI. 12th October, 1658, to 11th August, 1659.
XXII. 1st June, 1661, to 7th May, 1662.
XXIII. 8th May, 1662, to 30th December, 1663.
XXIV. 1st January, 1664, to 28th April, 1665.
XXV. 1st January, 1672, to 31st March, 1673.
XXVI. 2nd January, 1679, to 31st December, 1680.
XXVII. 4th January, 1681, to 7th March, 1682.
XXVIII. 1st December, 1684, to 22nd December, 1686.

XXIX. 1st May, 1688, to 31st December, 1689.
XXX. 1st January, 1690, to 11th February, 1691.
XXXI. 13th February, 1691, to 30th June, 1693.
XXXII. 16th October, 1697, to 10th March, 1699.
XXXIII. 1st January, 1700, to 15th August, 1701.
XXXIV. 2nd August, 1703, to 26th January, 1704.
XXXV. 1st November, 1765, to 29th August, 1766.

New Series.

Vols. I.-CXXVI. 17th November, 1809, to date.

DEEDS, &c., HANDED IN FOR PRESERVATION.

Bundles of deeds for every year from and including 1607 to November, 1809, when the present system of registration came into force; also bundles for each year from 1809 to date.

There are also bundles of deeds for every year from and including 1722 to November, 1809, which were handed over to the Sheriff Clerk by the Commissary Clerk in the latter year.*

* Previous to 12th November, 1809, when the Act of 44 Geo. III., Cap. 42, came into force, the Commissary Courts were Courts of Record, but unfortunately all the deeds and books prior to the date of the fire on 30th October, 1721, perished in the fire.

The books, from the date of the fire to the date of the Act above referred to, are now in the Register House, Edinburgh, while the deeds themselves are in the custody of the Sheriff Clerk, having been handed over to him by the Commissary Clerk, conform to an inventory.

This inventory consists of three parts, viz.:—

(1) List of Extracts registered after the fire.
(2) List of Papers registered after the fire.
(3) List of Registered Protests on Bills.

The volume containing these lists and another volume entitled "Copy Minute Book of Confirmed Testaments from 30th October, 1721," might be useful to investigations for the periods they cover.

There seem to be complete books of Extract Inventories since 1806, and of Testamentary Writings since 1812, and relative Diet Books.

JUDICIAL BONDS.

A bundle for every year from 1734 to date.

REGISTERED PROTESTS.

Prior to the year 1722, protests were put up with and recorded among the deeds. Since that year down to the present time they have been put up in separate bundles.

PROCESSES AND EXTRACTED DECREES.

Numerous bundles of these prior to 1811, and from that period to date, bundles for each year.

COMPOUNDED PROCESSES.

Bundles of these for several years during period 1772 to 1806.

HALF DUES, PAID PROCESSES.

Bundles of these for several years during period 1808 to 1835.

UNEXTRACTED DECREES.

A bundle of these for each year from 1806 to 1826, and also for the year 1829.*

SMALL DEBT COMPLAINTS, &c.

Bundles of these for the whole period from and after 1845 to date.

MINUTE BOOKS OF COURT FROM 1825.

SERVICES—TUTORIAL AND CURATORIAL INVENTORIES.

Bundles of these proceedings for the period 1649 to 1851.

* For a good many years no distinction has been made between *extracted* and *unextracted* decrees, the processes disposed of in each year being put up together.

SUMMARY WARRANTS—POINDINGS.

Bundles for each year from 1794 to date.

FIARS.

Two volumes containing the Register of Fiars' Prices from 1706 to date.

MINUTE BOOK OF REGISTRATION OF DEEDS AND PROTESTS.

Continuous from 1630 to date, with the exception of the period from 1643 to 1649.

MINUTE BOOK OF PROTESTS.

One separate volume, commencing with 1845, and still current.*

MINUTE BOOKS OF SERVICES AND INVENTORIES.

Two volumes, from 1649 to January, 1851.†

MINUTE OR RECORD BOOK OF CRIMINAL TRIALS.

Complete from 1733 to date, except for the period from 1743 to 1769.

REGISTER OF COMMERCIAL SEQUESTRATIONS.

Complete from 1839 to date.

MINUTE BOOKS OF BONDS.

Complete from 1780 to date.

RECORD OF PROCEEDINGS UNDER THE ACT FOR DISARMING THE HIGHLANDS OF SCOTLAND.

One volume, of date 30th May, 1748.

* Previous to 1845 the Registration of Protests was minuted in the Minute Books of Deeds.

† Since the latter date these proceedings have been entered in the Diet Books.

REGISTER AND MINUTE BOOK OF HORNINGS AND INHIBITIONS.

One volume, which is still current, commencing 1852.

MINUTE BOOKS OF FREEHOLDERS' RECORDS.

Seven volumes of these complete, for period 1727 to 1832.

MINUTE BOOK OF PROCEEDINGS OF THE FREEHOLDERS' COMMITTEE AS TO THE RECORD OFFICE.

One volume, dated 1829.

COPY ABSTRACTS OF FREEHOLDERS' CLAIMS.

Three volumes.

THE RECORD OF ELECTION OF MEMBERS OF PARLIAMENT FOR ABERDEENSHIRE.

One volume, for period 1761 to 1768.

VOTING LISTS OF FREEHOLDERS.

Six volumes, for period 1832 to 1836.

CORN REGISTER.

One volume bearing this title, containing entries from May, 1810, to July, 1821.

POPULATION RETURNS.

Seven volumes, containing these returns from 1801 to 1831, both inclusive.

RECORD OF EXPENDITURE ON ENTAILED ESTATES.

Eight complete volumes, for period from 9th March, 1820, to 8th March, 1852.

CRIMINAL PROCEEDINGS—JURY.

Two bundles, being criminal proceeding from 1795 to 1826, and bundles from 1827 to date.

SUMMARY CRIMINAL TRIALS.

Bundles for period 1827 to date.

PAPERS CONNECTED WITH CONVICTS.

A bundle of papers connected with convicts ordered for transportation as for period 1826 to 1839.

III.—RECORDS UNDER THE CHARGE OF H.M. REGISTRAR GENERAL.

A.—RECORDS, WARRANTS, &c., OF THE COMMISSARY COURT OF ABERDEEN.*

I.—CONFIRMATIONS AND INVENTORIES.

TITLED INVENTORIES.

235 †	1715-22	252	1752-3
236	1723	253	1754-5
237	1724	254	1756-7
238	1725-6	255	1758-60
239	1727-8	256	1761-
240	1729-30	257	1763-4
241	1731	258	1765-6
242	1732-3	259	1767-9
243	1734-5	260	1770-2
244	1736-7	261	1773-5
245	1738-9	262	1776-8
246	1740-1	263	1779-81
247	1742	264	1782-3
248	1743-4	265	1784-6
249	1745-7	266	1787-8
250	1748-9	267	1789
251	1750-1	268	1790

* The Records of this Commissariat were transmitted to H.M. General Register House, Edinburgh, on 17th March, 1860. They are accompanied by an Inventory prepared by the Commissary Clerk, which indicates merely the bundles and volumes of which the transmission consisted, with the dates to which these relate. The earlier Records of the Commissariat were destroyed by fire on the 30th October, 1721, and, accordingly, the following lists will be found to contain little that is earlier in date than that year.

† Number in Commissary Clerk's Inventory of Bundles.

Titled Confirmations.

269	1791	275	1797
270	1792	276	1798
271	1793	277	1799
272	1794	278	1800
273	1795	279-301	1801-23
274	1796		

II.—JUDICIAL INVENTORIES OF MINORS' ESTATES.

302	1722-33	304	1734-47

Titled Curatorial Inventories.

305	1749-58	307	1782-1805
306	1760-79	308	1806-23

III.—SUNDRY OLD PAPERS, Apparently Inventories.

309	1719-34	303	1736-40

IV.—EDICTS.

Curatory.

310	1721-1805

Executry

311	1720-49	315	1790-94
312	1750-69	316	1795-1800
313	1770-82	317-321	1801-23
314	1783-89		

V.—PROCESSES, WARRANTS OF DECREES, AND COURT PROCEEDINGS.

1	1721 *	6	1723-40 Decreets or Processes.
2	1713-41 Decreets or Processes.	7	1724 „
3	1722 „	8	1724-26 „
4	1722-23 „	9	1725 „
5	1723 „	10	1726 „

* 1721 and preceding not burned by fire in Commissary Clerk's Office.

11	1726-28	Decreets or Processes.
12	1727	,,
13	1728	,,
14	1729	,,
15	1729-31	,,
16	1730	,,
17	1731	,,
18	1732	,,
19	1732-45	,,
20	1733	,,
21	1734	,,
22	1735	,,
23	1735-40	,,
24	1736	,,
25	1737	,,
26	1738	,,
27	1739	,,
28	1740	,,
29	1741	,,
30	1742	,,
31	1742-49	,,
32	1743	,,
33	1744	,,
34	1745	,,
35	1746	,,
36	1747	,,
37	1748	,,
38	1749	,,
39	1750	,,
40	1750-58	Unextracted Decreets.
41	1751	Decreets or Processes.
42	1752	,,
43	1753	,,
44	1754	,,
45	1755	,,
46	1756	,,
47	1757	Decreets or Processes.
48	1758	,,
49	1759	,,
50	1760	,,
51	1760-63	,,
52	1761	,,
53	1762	,,
54	1763	,,
55	1764	,,
56	1764-67	Unextracted Decreets.
57	1765	Decreets or Processes.
58	1766	,,
59	1767	,,
60	1767-70	,,
61	1768	,,
62	1769	,,
63	1770	,,
64	1770-71	Unextracted Decreets.
65	1771	Decreets or Processes.
66	1771-73	,,
67	1772	,,
68	1773	,,
69	1773-75	Unextracted Decreets.
70	1774	Decreets or Processes.
71	1775	,,
72	1775-78	Unextracted Decreets.
73	1776	Decreets or Processes.
74	1777 *	,,
75	1778	,,
76	1779	,,
77	1779	,,
78	1779-81	Unextracted Decreets.
79	1780	Decreets or Processes.
80	1781	,,
81	1782	,,
82	1782-83	,,

* See No. 115.

83	1783-87	Decreets or Processes.
84	1784	„
85	1784	„
86	1785	„
87	1786-87	„
88	1787-88	„
89	1788-89	Unextracted Decreets.
90	1789	Decreets or Processes.
91	1790	„
92	1790	Unextracted Decreets.
93	1791	Decreets or Processes.
94	1791	„
95	1792	„
96	1792	„
97	1792	„
98	1792	„
99	1792 *	„
100	1793	Decreets or Processes.
101	1793	Unextracted Decrees.
102	1794	Decreets or Processes.
103	1795	„
104	1795	Unextracted Decrees.
105	1796	Decreets or Processes.
106	1796	Unextracted Decreets.
107	1797	Decreets or Processes.
108	1797	„
109	1798	„
110	1798	Extracted Decreets.
111	1799	Unextracted Decreets.
112	1799	Extracted Decreets.
113	1800	„
114	1800	Unextracted Decreets.
115	1777-92	Sundry Processes.
116-161	1801-23	Extracted Decreets.

VI.—SLEEPING PROCESSES.

162	- - - -	1753-66	
163	- - - -	1766-70	
164	- - - -	1769-76	
165	- - - -	1779-85	
166	- - - - -	1786	
167	- - - - -	1788-92	
168	- - - - -	1797-98	
169	Old and Sleeping Processes without dates.		

VII.—PROCESSES UNDER ADVOCATION.

170 - - - - - - - - - - - - - 1795-99

VIII.—MANDATES.

171 - - - - - - - - - - - - - 1785-1824

IX.—ADMISSIONS OF PROCURATORS.

172 - - - - - - - - - - - - - 1722 *et seq.*

* See Bundle No. 115.

X.—CAVEATS.

173

XI.—MISCELLANEOUS OLD PROCEEDINGS.

174-180 Seven Bundles without dates.
181 - - - - about 1749
182 Without date.
183 - - - - 1811-23

XII.—PAPERS RELATING TO DISPUTES.

184 Between Henderson and Mitchell.

XIII.—PETITIONS.

185	1721-33	199	1787-88 *
186	1734-42	200	1789
187	1742-49	201	1790
188	1750-56	202	1791 *
189	1757-62	203	1792
190	1763-64	204	1793
191	1765-67	205	1794 *
192	1768-69	206	1795
193	1770	207	1796
194	1771-74	208	1797
195	1775-78	209	1798
196	1779-81	210	1799 *
197	1782	211	1800
198	1783-86	212-234	1801-23

XIV.—DIET BOOKS.

1 † November 2, 1721, to April 2, 1723.
2 June 4, 1723, to November 3, 1726.
3 November 3, 1726, to May 1, 1731.
4 June 1, 1731, to January 16, 1735.
5 January 21, 1735, to June 21, 1737.
6 June 23, 1737, to June 26, 1740.

* Petitions for inventorying and rouping Defuncts' effects.

† Number in Commissary Clerk's Inventory of Books.

7 July 1, 1740, to November 6, 1744.
8 November 1, 1744, to January 22, 1751.
9 January 24, 1751, to January 9, 1755.
10 January 9, 1755, to November 23, 1758.
11 November 28, 1758, to August 31, 1762.
12 November 16, 1762, to November 16, 1769.
13 November 16, 1769, to January 28, 1779.
14 February 2, 1779, to June 14, 1790.
15 June 15, 1790, to January 15, 1795.
16 January 22, 1795, to October 5, 1801.
17-19 November 12, 1801, to December 24, 1823.

XV.—MINUTE BOOK OF CERTIFICATES OF PROCURATORS TAKING THE OATHS.

20 October 2, 1747, to May 19, 1748.

XVI.—MEMORANDUM, OR MINUTE BOOK OF MANDATES TO SUE OR DEFEND.

21 November 12, 1785, to October 6, 1824.

XVII.—RECEIPT BOOKS.

1 November 13, 1732, to July 13, 1785.
2 July 13, 1785, to February 19, 1805.
3 February 22, 1805, to December 14, 1825.

XVIII.—DECREET BOOKS.

1 January 2, 1748, to May 13, 1783.
2 May 16, 1783, to December 29, 1823

XIX.—MINUTE BOOK OF CONFIRMATIONS.

February 12, 1715, to December 30, 1823.

XX.—DETAILED INVENT. OF REGISTERED DEEDS, PROBATIVE WRITS, AND PROTESTS.

XXI.—LIST OF JUDICIAL INVENTORIES.

No. II., and of Edicts, No. IV.

B.—PARTICULAR REGISTERS OF SASINES.

FOR THE SHIRE OF ABERDEEN.*

First Series.

Vol. I. 21st December, 1599, to 31st May, 1602.
II. 22nd April, 1602, to 28th July, 1603.
III. 28th July, 1603, to 22nd December, 1604.
IV. 30th December, 1604, to 3rd June, 1606.
V. 4th June, 1606, to 15th April, 1607.
VI. 16th April, 1607, to 3rd February, 1608.
VII. 8th March, 1608, to 31st December, 1608.
VIII. 10th January, 1609, to 24th January, 1609.

Second Series.

Vol. I. 1st August, 1617, to 24th June, 1619.
II. 3rd July, 1619, to 20th October, 1620.
III. 6th November, 1620, to 26th December, 1622.
IV. 26th December, 1622, to 28th March, 1625.
V. 28th March, 1625, to 15th October, 1627.
VI. 15th October, 1627, to 8th January, 1630.
VII. 8th January, 1630, to 24th July, 1632.
VIII. 24th July, 1632, to 8th April, 1634.
IX. 8th April, 1634, to 27th January, 1636.
X. 30th January, 1636, to 8th February, 1638.
XI. 8th March, 1638, to 6th January, 1641.
XII. 22nd January, 1641, to 11th January, 1644.
XIII. 17th January, 1644, to 30th November, 1648.
XIV. 5th April, 1649, to 10th December, 1650.
XV. 10th December, 1650, to 29th June, 1653.
XVI. 31st May, 1653, to 15th November, 1653.
XVII. 15th November, 1653, to 2nd June, 1655.
XVIII. 5th June, 1655, to 11th October, 1656.
XIX. 11th October, 1656, to 19th January, 1658.
XX. 19th January, 1658, to 18th June, 1659.
XXI. 18th June, 1659, to 12th November, 1660.

* Sasines on town properties held feu, not burgage, are recorded in this Register.

FOR THE SHIRES OF ABERDEEN AND KINCARDINE.*

Third Series.

Vol. I. 1st January, 1661, to 15th December, 1662.
II. 1st January, 1663, to 25th April, 1664.
III. 1st April, 1664, to 31st August, 1665.
IV. 23rd September, 1665, to 19th April, 1667.
V. 19th April, 1667, to 1st September, 1668.
VI. 1st September, 1668, to 31st March, 1670.
VII. 2nd May, 1670, to 15th July, 1672.
VIII. 15th July, 1672, to 17th April, 1675.
IX. 17th April, 1675, to 21st November, 1677.
X. 19th December, 1677, to 29th January, 1681.
XI. 26th February, 1681, to 8th May, 1684.
XII. 23rd May, 1684, to 8th November, 1687.
XIII. 15th November, 1687, to 22nd April, 1691.
XIV. 8th May, 1691, to 10th September, 1694.
XV. 28th September, 1694, to 24th November, 1697.
XVI. 6th December, 1697, to 28th August, 1700.
XVII. 10th September, 1700, to 11th May, 1704.
XVIII. 13th May, 1704, to 4th June, 1709.
XIX. 8th July, 1709, 7th September, 1712.
XX. 1st December, 1712, to 2nd December, 1718.
XXI. 12th December, 1718, to 1st February, 1725.
XXII. 4th February, 1725, to 27th May, 1732.
XXIII. 2nd June, 1732, to 5th May, 1738.
XXIV. 8th May, 1738, to 2nd September, 1743.
XXV. 22nd September, 1743, to 13th November, 1750.
XXVI. 14th November, 1750, to 12th April, 1758.
XXVII. 19th April, 1758, to 14th June, 1765.
XXVIII. 14th June, 1765, to 12th July, 1775.
XXIX. 22nd July, 1775, to 15th April, 1782.
XXX. 15th April, 1782, to 19th December, 1786.
XXXI. 19th December, 1786, to 1st March, 1792.
XXXII. 22nd March, 1792, to 24th December, 1795.
XXXIII. 25th December, 1795, to 6th August, 1800.
XXXIV.-CCCLXXI. 6th August, 1800, to 6th February, 1869.

* From 2nd January, 1600, to 1st January, 1661, the Register for Kincardineshire was kept separately.

Fourth Series.

I.-DLXXIII. 7th February, 1869, to 2nd April, 1889.

PROTOCOL BOOKS HAVING REFERENCE TO ABERDEEN.

Vol. III. 10th December, 1518, to 11th January, 1551. Sir John Cristison, Aberdeen and Kincardine.

IX. 8th March, 1538, to 1st February, 1562. Robert Lumsdane, Aberdeen.

XII. 5th March, 1545, to 27th March, 1579. James Nicolson, Peebles, Aberdeen, etc.

XV. 1st August, 1552, to 24th February, 1573. Gilbert Grote, Aberdeen, etc.

XXIX. 6th November, 1570, to 17th February, 1581. Arch. Millar, Aberdeen, etc.

XXX. 30th December, 1570, to 19th September, 1590. Alexander Lawson, Aberdeen, etc.

XXXVIII. 30th July, 1580, to 15th December, 1597. John Robeson, Aberdeen.

LII. 26th January, 1590, to 25th November, 1602. Alexander Lawson, Aberdeen, etc.

LXVI. 15th May, 1600, to 8th January, 1601. Robert Skene, Aberdeen.

LXXV. 31st October, 1633, to 27th August, 1668. Alexander Forbes, Aberdeen.

LXXVI. 18th August, 1636, to 4th July, 1653. Alexander Sandesone, Aberdeen.

LXXXI. 20th March, 1649, to 4th April, 1664. John Sandilands, Aberdeen.

LXXXIII. 27th October, 1649, to 22nd June, 1660. James Swan, Aberdeen.

LXXXVII. 30th December, 1653, to 28th October, 1664. James Petrie, Aberdeen, etc.

LXXXVIII. 23rd May, 1661, to 21st March, 1666. Alexander Stewart, Aberdeen, etc.

XCIII. 9th December, 1661, to 4th June, 1677. William Smith, Aberdeen.

XCIV. 3rd January, 1662, to 31st March, 1665. William Leslie, Aberdeen.

C. 31st August, 1663. Thomas Urquhart, Aberdeen—one entry only.

CI. 3rd November, 1663, to 17th September, 1668. Patrick Hay, Aberdeen, etc.

CII. — Deeember, 1663, to 15th June, 1670. Robert Andersone, Aberdeen.

CIII. 24th March, 1664, to 26th June, 1676. James Cuthbert, Aberdeen.

C.—REGISTER OF BAPTISMS, MARRIAGES, AND BURIALS.

PARISH OF ST NICHOLAS.

BAPTISMS—

Vol. I. Legitimate births, 7th December, 1563, to 10th March, $159\frac{1}{2}$.*
Illegitimate births, 1st October, 1573. to 5th March, $159\frac{1}{2}$.†
II. 1st September, 1602, to 3rd February, 1631.‡
III. 12th February, 1631, to 21st January, 1647.
IV. 5th December, 1647, to 14th December, 1672.
V. 24th December, 1672, to 8th January, 1688.§
VI. 11th May, 1688, to 18th December, 1704.
VII. 16th December, 1704, to 26th December, 1734.‖
VIII. 2nd January, 1735, to 25th August, 1771.¶
IX. 25th August, 1771, to 30th September, 1798.**
X. 1st October, 1798, to 29th November, 1810.††
XI. 2nd December, 1810, to date.‡‡

* Only five entries prior to 1571. Duplicate of portion, 15th September, 1573, to 3rd September, 1579.

† Duplicate of portion, 4th October, 1573, to 28th February. $15\frac{79}{80}$.

‡ Blank 8th February, 1625, to 5th April, 1628.

§ After Record for 8th January, 1688, there are 7 pp. of entries, 20th November, 1687, to 29th March, 1698, endorsed "Double of Popish Baptisms, 1698".

‖ At end there are 6 pp. of entries, 1st September, 1717, to 31st March, 1731, omitted to be recorded in their proper places.

¶ At end is an appendix of 10 pp. containing entries, 23rd September, 1748, to 28th June, 1771.

Prefixed to this volume is a leaf containing 17 entries, 12th March, 1769, to 4th November, 1772. Following 31st January, 1784, is an appendix of 27 pp., 16th October, 1758, to 8th September, 1783. Register very irregular about 1797-98, after which is another appendix of 20 pp., 6th May, 1767, to 23rd September, 1798.

†† Prefixed to this volume is an appendix of 8 pp., 5th July, 1776, to 13th September, 1798; and at end is another of 25 pp., 6th June, 1757, to 3rd October, 1810.

‡‡ At end of Vol. XI. is an appendix of 88 pp., 1st January, 1774, to 24th October, 1824.

MARRIAGES—

I. 17th June, 1568, to 27th April, 1686.*
II. 3rd June, 1695, to 30th December, 1776.
III. 24th January, 1776, to 6th August, 1803.†
IV.- 3rd January, 1804, to date.

BURIALS *in St. Nicholas Church and Churchyard*—

I. 7th July, 1560, to 25th April, 1687.‡
II. 1st September, 1793, to 26th February, 1820.
III.- 12th January, 1820, to date.

BURIALS *in St. Clement's Churchyard*—

I. 1st May, 1789, to 29th December, 1819; Old Ground, 3rd to 24th January, 1820.
II.- 11th January, 1820, to date.

PARISH OF OLD MACHAR.

BAPTISMS—

I. 27th November, 1641, to 26th May, 1699.
II. 21st June, 1699, to 26th September, 1721.
III. 1st October, 1721, to 16th October, 1763.
IV. 10th October, 1763, to 2nd December, 1797.
V. 3rd December, 1797, to 31st December, 1819.
VI.- 1st January, 1820, to date.§

* After 1579 there occurs an abstract of the entries in the previous Record from 25th March, 1574, and this abstract form of entry is continued till 1592, from which date there is a blank till August, 1603. Blank also from February, 1621, to September, 1623, November, 1624, to April, 1628, and April, 1686, to June, 1695.

† Separate Record of Marriages celebrated by ministers not belonging to Church of Scotland, 10th October, 1788, to 13th December, 1830, including also, after 1805, those celebrated by ministers of the Established Church not residing in the parish of St. Nicholas.

‡ Only four entries prior to 1573.* After 1579 there is a draft of the previous Record from 1573, which is continued to March, 1591; then there is a blank till September, 1602. Blank also December, 1622, to September, 1660, and April, 1687, to September, 1793.

In the Kirk and Bridge Work Accounts (*supra*, p. 417), down to 1792-93 inclusive, a list of the burials in St. Nicholas Kirkyard is included in the annual statement. See New Spalding Club *Miscellany*.

§ An appendix, apparently commenced about 1806, gives entries not made at the proper time, dates ranging from 1776 to 1854.

* One of them an historical entry relating to murder of Henry, Lord Darnley.

MARRIAGES—

I. 4th March, 1621, to 26th October, 1636, and 30th December, 1638, to 25th November, 1721.
II. 16th January, 1722, to 28th February, 1731, and 28th April, 1744, to 1st June, 1783.
III. 1st June, 1783, to 25th December, 1819.
IV.- 1st January, 1820, to date.

BURIALS—

I. 25th August, 1642, to 30th September, 1671, and 1st March, 1673, to 20th May, 1766.
II. 6th August, 1766, to 30th December, 1819.
III.- 1st January, 1820, to date.

IV.—MISCELLANEOUS RECORDS.

Records of the Cathedral Church of Aberdeen; from 1062 [?] See *Registrum Episcopatus Aberdonensis.* Spalding Club, 1845.

Records of the Kirk Session, Presbytery, and Synod of Aberdeen; from 1562. See *Selections from Ecclesiastical Records of Aberdeen.* Spald. Club, 1846. Also the New Spalding Club *Miscellany*, Vol. I.

Records of the Red, Gray, Black, and White Friars of Aberdeen; from 1211. To be printed by the New Spald. Club.

Records of University and King's College; from 1494. See *Fasti Aberdonenses.* Spald. Club, 1854.

Records of Marischal College and University; from 1593. See *Fasti Academiae Mariscallanae.* New Spald. Club, 1889.

Records of the Grammar School; from 1700.

Records of the Incorporated Trades of Aberdeen; from 1587. See Bain's *Merchant and Craft Guilds.* Aberd.: 1887.

Records of the Society of Advocates in Aberdeen; from 1685.

Records of the Medico-chirurgical Society of Aberdeen; from 1789.

Records of the Aberdeen Mason Lodge; from 1670.

Records of the Aberdeen Shipmasters' Society; from 1600.

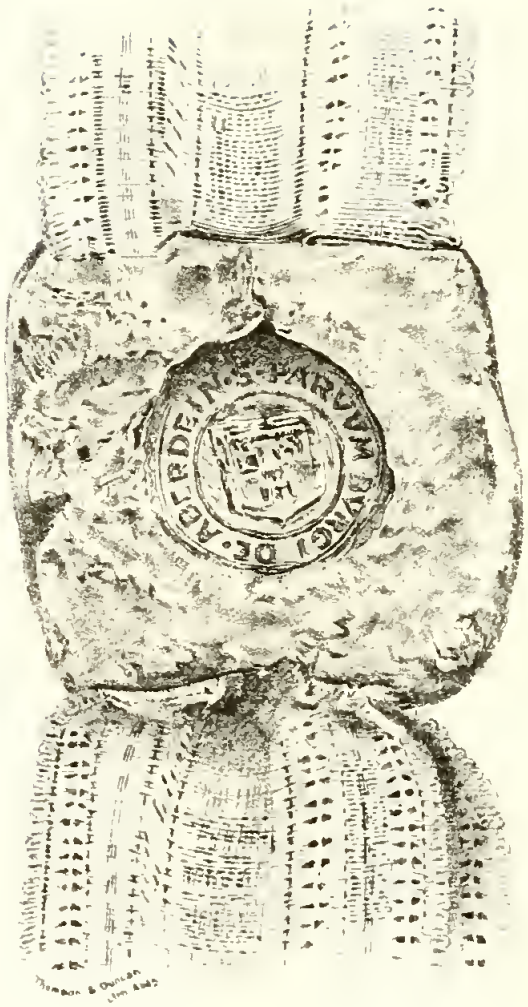
Records of the Aberdeen Gardeners' Society; from 1714.

Records of the Aberdeen Musical Society; from 1748.

Records of the Town Council of Old Aberdeen; from 1634.

Records of the Incorporated Trades of Old Aberdeen; from 1608.

Records of the Merchant Society of Old Aberdeen; from 1686.


SIGILL DEINCS PARVUM

INDEX.

Abel, Marion, 312.
Aberdeen—account of burgh ferms rendered, 296.
—— bay of, 395.
—— burgesses of, 3, 4, 8, 9, 43.
—— burgesses, etc., of, do homage to Edward I., 292.
—— burgh of, etc., set in feu, 12; burnt by the English, 101; grant of, confirmed, 105, 113, 126, 138, 168, 192; great losses sustained by, 202, 207, 264, 276; to return a member to Parliament conjointly with Banff and Cullen, 266; referred to as "a populous city," 156, 182.
—— castle of, sasine to be given of, 291; siege of, to be raised, 295.
—— charters dated at, 5, 18, 45, 86, 294.
—— community promise to pay portion of ransom for James I., 317.
—— contribution towards expense of embassy, 312.
—— donation to burgesses on account of burning of the burgh, 297.
Aberdeen, Old, burgh of, 391, 394.
—— city of, 326, 328; grant of cross and market place, 327; and weekly market day on Monday, 327; and public fairs, 327.
—— called the Chanonry, 325.
—— commissary court removed from, 265, 269, 275; appointed to sit at, 269; excise duties to be collected within, 280.
—— erected into a burgh of barony, 323.
—— fairs to be held on Skyre Thursday and St. Luke's Day, 327.
Aberdeen, bishop of—amount of second teinds, 297.
—— Gavin, bishop of, 81; Patrick, 215; Thomas, 32; William, 41, 329, 331.
Aberdeenshire, commissioner for, 270, 279.
Abernethy, John, 316.
Abraam, Thomas, 316.
Accounts, Guildry, 416, 418; Guild Brethrens' Hospital, 416, 417; justice court, 420; kirk and bridge works, 416, 417; mortification, 416, 417; shorework, 416, 417, 418; treasury, 416.
Achesoun, Thomas, master cunzeour, 391.
Adamson, William, 315.
Ade, Andrew, 302.
Aedie, George, councillor, 261.
Adiepingill croft, 353.
Admirals depute, appointment of provost and baillies as, 393, 394, 395, 396, 397.
Admirality, office of, conferred on provost and baillies, 360.
Ailbot, John, 289.
Akynhead, 315.
Alanson, John, wife of, 315.
—— Thomas, 317.
Alderman, term of, applied, 4.
Ale, impost on, 208, 277.
Alehouse croft, 340.
Alexander II., King, charters by, 5, 101, 117, 165, 387.
—— III., King, charters by, 8, 9, 165, 290, 387.
Alexander, John, town clerk, 412.
—— Patrick, 314.
—— Robert, 369.
Allan (Alne), Alexander, wife of, 313.
—— James, 383.
Allardyce (Allerdes), John, provost, 212, 216.
—— Sir James, provost of the Lady Kirk of the Heuch, 35.
Allynson, Andrew, 323.
Alnes, lands of, 203.
Alves, lands of, 203.
Alyth, charter dated at, 8, 101, 117.
Amfray, Thomas, 316.
Anderson, Alexander, 343.
—— Alexander, town treasurer, 275.
—— David, 336, 354, 389, 390, 400.
—— Gilbert, 72.
—— John, 54, 74.
—— P. J., 407.
—— Robert, 441.
—— Mr. Robert, 54.
—— Thomas, 54.
—— William, 390.
Andison, Andrew, 316.
Andrew, bishop of Caithness, 4, 41.
—— John, 314.
—— John, hunēy John, 314.
—— Stephen, 315.

Andrew, Thomas, 314, 315.
—— William, 314.
Angus, Archibald, chancellor, 35, 331; Earl G. of, 4.
Anne, Queen, charter by, 211.
Annexes and connexes, meaning of, 194.
Aqua-vitæ, impost on, 209, 277.
Aqueduct of Futties Myre, 355.
Arbroath, burgh of, 395.
—— charter dated at, 38.
—— to return a member to Parliament conjointly with other burghs, 278.
—— monastery of, charter dated at, 332.
—— Bernard, abbot of, 12, 82; chancellor, 14, 15.
—— David, abbot of, 330
Arbuthnot, Hugh, 314.
Arcandeith, lands of, 203.
Ardersier, lands of, 203.
Ardlair, lands of, 81, 82, 84, 86, 88.
Argyle (Argyll), Archibald, earl of, 35, 41, 67; marquis of, 199.
—— Colin, earl of, 32, 80, 329.
—— Lord David, bishop of, 41.
Armour, purchase of, 392.
Arms of the burgh, description of, 380.
—— money furnished to purchase, 260.
—— power given to punish persons carrying, 17, 189, 255.
Army, licence to remain at home from, 94, 99, 121.
Arrat, David, 54.
Arthur (Arthour), John, 56, 58, 399.
Assizes, etc., exemption from attendance on, 92.
—— claim for freedom from attendance on, 395.
Athol, David, earl of, constable, 11; John, earl of, 34.
—— marquis of, vice-admiral, 394.
Atkin, Walter, 399.
Atkynson, Sir John, 315.
—— John, 314.
Auchindoun, the laird of, 245.
Auchinleck, George, of Balmanno, 237, 241, 242, 243, 390.
Auchnaculleine, lands of, 203.
Auchnagaid, lands of, 203.
Auchquhonie, the laird of, 245.
Austria, Duke of, 324.
Avandale, Andrew, lord, chancellor, 32.
Ayr, courts at, 272.

Bachtley, 338.
Baillie, Alexander, provision for pension to, 279, 280.
Bailiwick, the, of Aberdeen, 7.
Baillie court books, list of, 419.
Bain, Dean David, 229.
Balbegno, laird of, 364, 365, 366, 390, 391.
Balblair, lands of, 203.
Balfour, James, 392.
Balliol, John of, 291, 292.
Balracoul, lands of, 203.
Banff, burgesses of, declare in favour of Aberdeen's rights as to fairs, 290.
—— community of, letters patent by, 387.
—— to return a member to Parliament conjointly with Aberdeen and Cullen, 266.
—— vicar of, 398.
—— writ signed at, 291.
Bannerman, Sir Alexander, 402.
—— Gilbert, 340.
—— John, 388.
—— John, of Elsick, 31, 388.
Bar, or watermouth, boundary of fishings, 127, 169.
Barbon, John of, 389.
Barbour's croft, 73.
Barclay, Mr. George, 351.
—— Sir James, chaplain, 66, 335.
—— William, 334.
—— Mr. William, advocate, 359.
Barnes, the laird of, 355.
Barns, Lady, 382.
Barry, John, 316.
—— Suet, 315.
Baxter (Baxstar), Andrew, 312, 314.
—— Edy, 316.
—— John, 314.
—— Patrick, wife of, 314.
—— Simon, 313.
—— W., 313.
Beauly, priory of, 203.
Belhelvie, sands of, 395.
Bell, John, 314.
—— Laurence, 301.
Bellenden, Sir John, of Auchnoule, 67, 70.
—— Sir Lewis, of Auchnoule, 80, 92.
—— William, lord, 206.
Bello Campo, Sir Walter de, 292.
Benestede, John of, 293.
Benyn, Alexander, wife of, 315.
Berkelay, David of, 12.
—— Humphrey of, 5.
—— Patrick of, 293.
—— Walter of, chamberlain, 4; sheriff of Aberdeen, 15.
Bertholomey, 315.
Bervie, burgh of, 396.
Berwick-on-Tweed, writs dated at, 12, 14, 292, 311.
Bethelnie, lands of, 397.
Betour, William le, captain of the navy, 295.
Binning, Thomas, lord, 140.
Bishopric of Aberdeen, abolition of, 213.

Bisset (Beset), Mr. Gilbert, 72, 74, 75, 342, 351.
—— Marion, 314.
Biyame, John, 314.
Blabir, David, 317.
Black (Blak), James, 73.
—— John, 55, 323.
—— Sir John, chaplain, 335.
Blackburn, the, 340.
Blackfriars, the, 391.
—— crofts of, 72, 95, 342.
—— inventory of writs of, 401.
—— manse of, 72, 404.
—— yard, 342.
Blackhall, 317.
Blantyre, 99.
—— Walter, commendator of priory of, 80.
Blinshell (Blinseill, Blynsell, Blyndsele), Alexander, 55.
—— Christina, 399.
—— Robert, 323.
—— Thomas, 313.
—— wife of, 316.
Block, meaning of term, 130.
Blockhouse, the, 106, 129, 171, 382, 383.
Bloodwit, meaning of, 76.
Boathmore, lands of, 203.
Boece, Hector, principal of the College of Aberdeen, 87.
Bogfairly, lands of, 53, 63, 340, 397.
Bogfald, the, 341.
Boide, Alexander, of Drumcoll, 32.
Bonaccord, motto of the burgh, 380.
Borthwick, Robert, 313.
—— William, lord, 34, 35.
Boscho, William de, chancellor, 8.
Bothwell, Patrick, earl of, 329, 331.
Boul (Bowll) Gate, the, 355.
—— road, the, 382.
Bow Bridge, the, 342, 383.
Bowar, Andrew, 315.
—— Meg, 315.
—— Dr. Thomas, regius professor of mathematics, 279, 280.
—— Walter, 312.
Brabner, Andrew, 353.
Brandy, cast in within privileges of Arbroath disposition of right to, 395.
Brandy-wine, impost on, 209, 277.
Branche, Andrew, 316.
—— Thomas, 55.
Breadalbane, earl of, vice-admiral, 397.
Brebner, Gilbert, 55.
Brechin to return a member to Parliament conjointly with other burghs, 278.
Bridge of Don, act for building new, 283.
Brodiach, burn of, 339, 340.
Brown, George, 383.
—— James, 312, 315.
—— Robert, 313.
Brotherfield, lands of, 339.
Bruce, Alexander, town-clerk depute, 412.
—— Edward of, E. of Carrick and L. of Galloway, 11.
Bruysur, Soror, 315.
—— William, 315.
Buchan, Alexander, earl of, 289.
—— James, earl of, chamberlain, 34.
—— John, 316.
—— Laurence, 316.
—— Major-General, 276.
—— district of, 245.
Buger, Thomas, 313.
Buk, Andrew, 336.
Bulwark or pier of Aberdeen, 97, 129, 172, 274, 279.
Burgesses absolved for acts done during time of rebellion, 231, 246.
—— granted exclusive right to buy and sell within their freedom, 388.
—— of guild, privileges of, 345.
—— of guild, register of, 421.
—— honorary, register of, 421.
Burgh, new erection of Aberdeen into a free royal, 100, 105, 113, 126, 138, 168, 192, 248.
Burgo, John de, 301.
Burgundy, duke of, 324.
Burial lairs, contract with craftsmen as to, 395.
Burials, act of council as to, 394.
—— powers to regulate, 395.
Burnard, John, 323.
Burnet, Alexander, elder, councillor, 261.
—— Bishop Gilbert, mortification by, 403.
—— James, 405.
—— Mr. James, 74, 336.
—— John, 400.
—— Marjory, 382.
—— Sir Thomas, of Leys, 277, 279, 395.
Butchers, impost payable by, 209.
Butefield, 343.
Buxburn, new mill on, 128, 161, 170.
Bynzie, Mariot, 398.
Byseth, William, 9.

Caberstone, 383.
Cadyoch, Richard of, 301.
Cairdhillock, 340.
Caithness, Andrew, bishop of, 41.
—— bishop of, 229.
Caldwell, the, 341.
Calman, William, 314.
Calsey croft, 355.

Calsey, Myre, 353, 354.
—— at Cowie Month, 401.
Cambrun, Robert of, 9.
Campbell, Colin, younger, 403.
—— Rev. Colin, 403.
—— Lord Frederick, 225.
Campvere in Holland, 390.
Canal, Aberdeenshire, acts relating to, 282, 283.
Caplehills, 206.
Capraston, lands of, 341, 398.
Cargill, James, mortification by, 403.
Carmelite Friars' donation for fabric of church, 297.
Carmichael, Sir James, of that ilk, 157.
—— Sir John, 391.
Carnebee, 317.
Carnegie, Alexander, town clerk, 413.
—— William, town clerk, 414.
Carnifex (Flesher), Duncan, 314.
Carras, Anny, 312.
Carrick, Edward, earl of, 11; John, earl of, 21.
Castle of Aberdeen destroyed by the burgesses, 237.
Castlegate, the, 388, 394.
—— act anent sale of fish in, 394.
Castlehill, 106, 107, 128, 137, 138, 161, 171, 343, 344.
Cathcart (Cathkert), Alan, lord, 34.
—— Lord, vice-admiral, 397.
Cathedral church of Aberdeen, 83, 144, 149, 323, 327, 352.
—— deacon of, 149, 150.
Cattanach, James, dean of guild, 212.
Cellars, decreet for searching of, for French wines, 395.
Chalmer (Chalmers, De Camera), Alexander, 53, 338, 339.
—— Alexander, baillie, 231.
—— John, town clerk, 412.
—— Patrick, town clerk, 412.
—— R., 317.
—— Mr. Robert, 55.
—— S., 314.
—— Thomas, 53.
—— Thomas, chaplain, 399, 400.
—— W., 313.
—— William, 316.
Chamberlain, contract as to salary of burgh, 395.
—— Ayre, meaning of, 20.
Chancellor of Aberdeen, 399.
Chanonry of Aberdeen, 325.
Chaplains, annual rents, etc., register of, 424.
—— property of, granted to community, 103, 107, 122, 134, 176, 177; grant confirmed, 248.
—— writs relating to feuduties of, 398.
Chaplains of the college, croft of, 355.
—— of St. Nicholas resign their possessions, 335.
Charles I., King, charters granted by, 148, 155, 199, 201, 217; ratification of, 258, 259, 272, 393.
—— II., King, charters, etc., by, 204, 205, 207, 217, 393, 394.
Charteris, Thomas of, chancellor, 18.
Chartulary of feus, 424.
—— of St. Nicholas church, 424.
Chatelherault, James, duke of, governor, 48, 52, 58.
Chekar, Thomas, 314.
Chen, Reginald le, 9, 293.
Chepman, William, provost, 296.
Cheyne, Mr. Alexander, rector of Snaw and commissary of Aberdeen, 120, 345, 348, 349, 351.
—— Alexander, 401.
—— James, 54.
—— John, 353.
—— John, of Tilliebourie, 401.
—— Jonat, 342.
Chirdoc, 314.
Choir, curate and chaplains of, 399, 400, 401.
Christison, John, 314.
Church, parish, of Aberdeen, 103, 107, 122, 134, 162, 178, 189; grant of, 199, 200.
Church and bridge works, accounts of, 416, 417; writs belonging to, 401.
Circuit courts to be held annually in Aberdeen, 272.
Clatt, parish of, 81, 83.
Clauda, Joneta, 314.
Clerenans, John, 311, 312.
Clerk (Clarc), David, 323.
—— John, 301.
—— John, of Pennycuick, 219.
—— Patrick, 302.
Cloghill, lands of, 340, 341.
Cloth, strangers not to cut, for sale, within specified terms, 6.
—— to be dyed or shorn only by the merchants of the guild, 7.
Club, Thomas, 313.
Clunes, Cristin, 315.
Clynter, Alexander, 313.
Cochran (Cochrane), Walter, councillor, 261.
—— William, Lord, 206.
Cockburn (Cocburn), Alexander, of Langton, 22.
—— Archibald, 223.
—— J., 99.
—— Sir John, of Ormeston, 110, 140.
—— Sir Richard, younger, of Clerkington, 109, 140.
Col, Thomas, 313.

Col, W., 313.
Coldingham, John, prior of, 70.
Coleyn, Andrew, 323.
College of Aberdeen [Marischal College], 142, 148-150, 373, 379; contract dated at, 150; mortification for six poor students at, 142.
—— principal of, 148, 149, 373.
—— writs relating to, 401, 403, 404.
—— bounds, included within area for excise duties, 280.
—— church, 189.
—— King's, 279, 353, 374, 394, 402.
Collison (Collesoune), Alexander, 55.
—— Gilbert, 53, 75.
—— James, 41.
—— James, jun., 55.
—— James, sen., 54.
—— Janet, 389.
—— John, 389, 399, 400.
—— John, baillie of Aberdeen, 41.
—— Sir John, chaplain, 335.
Colquhon, John, of that ilk, comptroller, 32.
Commissary of Aberdeen, 362.
—— clerk of Aberdeen, 345, 351.
—— court to sit within the burgh, 265, 269, 275; removed to Old Aberdeen, 269.
—— court, destruction of books of, 428.
—— court, act for supplying records of, 281.
Commission for feuing town's lands, 390.
Congilton, Adam of, 302.
Constable of Aberdeen, croft of, 344.
Convicts, papers relating to, 432.
Cook (Cuik), Patrick, 314.
Copland, Patrick, mortification by, 403.
Corbie well, the, 342.
Corbrand, Magy, 312.
Corn register, 431.
Coroner, office of, granted, 184.
Cotingham, Robert of, 293.
Cotton, lands of, 342.
Council of the burgh to be elected yearly, 90; election of, 261.
—— registers, list of, 407.
Counteswells, lands of, 338.
Coupar (Couper), Aby, 316.
—— Andrew, 312.
—— John, 312.
—— Mathy, 316.
—— Paul, 315.
—— Sir William, chaplain, 400.
Courts, grant of, 13, 106, 130, 139, 172.
Court books, catalogue of, 392.
—— house, acts relating to, 283, 284, 285.
Cowie, water of, 394, 395.
Cowymonth, calsay of, duties granted for support of, 256, 267, 271.
Crab, John, 301, 302, 306.
Crabstone (Craibstane), the, 72, 356, 383.
Craftsmen—compositions payable by, 346.
—— privileges of, 345.
—— number to be admitted to the council, 347.
—— procedure as to admittance of, 345, 346.
—— register of, 421.
—— wares to be dealt in by, 347, 349, 350.
Crag, Andrew, 314.
—— Anny, 313.
—— John, 312, 314.
—— Malcolm, 399.
—— Robert, 55.
—— W., 313.
—— William, 399.
Craighead, lands of, 203.
Craighouse, lands of, 203.
Craigwell croft, 72, 342.
Craill, to be a staple port for white fish, 244.
Cran, the, right of, conveyed to town, 366.
—— dues of, 367.
—— writs of, 393.
Crawford (Craufurd), David, earl of, 246.
—— Richard, 398.
—— William, 334.
Crichton (Creichtoune), William, lord, chancellor, 27.
Criminal trials, record of, 430, 432.
Criouner, Hankyn, 313.
Cristison, Sir John, 441.
Crooked Myre, 73, 353, 356.
Crowtane, Thomas, 316.
Cruden, Ann, 404.
Cruickshank (Crusonk), Cristin, 316.
—— Janat, 383.
—— John, 317.
—— Robert, of Banchory, mortification by, 404.
—— Baillie Robert, mortification by, 404.
Cruives (Cruiffs), the, 341, 342, 343.
—— burn, boundary of, fishings, 127, 169.
—— fishings of, 55, 61, 62, 127, 169, 212.
—— lands of, 30, 56, 63, 119, 126, 138, 160, 168, 195, 388.
—— teinds of fishing of, 211.
Crynis walls, 354.
Culbo, half davach of, 203.
—— wester, davach of, 203.
Cullen (Cullan, Cullane), Alexander, 351, 353, 355.
—— Alexander, mortification by, 403.
—— Baillie Alexander, 345.
—— George, councillor, 261.
—— Baillie Gilbert, 360, 363.
—— John, 399.
—— Patrick, 55.

Cullen (Cullan, Cullane), Walter, 53.
—— to return a member to Parliament conjointly with Aberdeen and Banff, 266.
Cullicudden, davach of, 203.
Cumberland, duke of, commission appointing magistrates, 396.
Cumming (Cuming, Cumyn, Cumin, Comyn), Alexander, earl of Buchan, 289.
—— David, 301.
—— John, 289.
—— Mr. John, 399.
—— Jordan, 8.
—— Walter, 8.
—— William, of Kilbride, 9, 10.
Cunningarhills, 72.
Cupar, Andrew, abbot of, 289.
Cupbearer, Malcolm, 8.
Currour, John, mortification by, 404.
Custom, amount of, for the year, 1327-8, 299.
—— on certain English goods abolished when imported at Perth or northward, 24; relief from on salt and skins, 25; on salmon granted, 33.
Customs, petty, grant of, 13, 106, 107, 129, 138, 172.
Cuthbert, James, 441.
Cuttings, the, 343, 355.
—— croft, 74.
Cuykl, Mauld, 316.

Dalkeith, James, of Douglas, lord of, 22.
—— writ signed at, 94, 121.
Dalrymple, George, 219.
Daill silver, meaning of term, 75.
Darlington, Reginald, 322.
Darnley, Henry, lord, 443.
David, King, grant by, 325.
—— I., privileges under, 4, 7.
—— II., charters by, 17, 18, 101, 117, 387, 388; remits all his illwill &c., against the burgesses, 18.
—— II., negotiations for ransom of, 301; ransom fixed at 100,000 merks, 304, 305.
—— Laurence, 312.
—— Thomas, 312.
Davidson, Mr. Alexander, advocate, 372.
—— George, burgess, 206.
—— George, of Pettens, 397.
—— George, mortification by, 403, 405.
—— Mr. James, 351.
Davach, meaning of, 203.
Davy, Meg, 314.
Daynore, William, 315.
Dean of Guild, writs belonging to, 402.
Debt, public, due to the burgh, 262, 264.
Debts of the town, acts granting duties for relief of, 281.
Decree books, list of, 426.
Decreets of declarator, 397.
Dee, bridge of, boundary of fishings, 127, 169.
—— bridge of, 207; grant for support of, 81, 85.
—— fishings on, 53, 54, 55, 57, 61, 105, 126, 137, 138, 168.
—— river, diversion of, 274.
—— water of, 330.
Deeds, register of (burgh), 415; (sheriff court), 426.
Deer (Deir, Dere), abbot of, 229.
—— Thomas, abbot of Kinloss, 300.
Denburn, the, 72, 74, 339, 342, 383.
—— new mill on, 128, 161, 170.
Denfald, 341.
Denholme, John, commissionar for the north, 262.
Derule, John, lord, 32.
Dibidale, lands of, 203.
Diet books of court, list of, 425.
Dikynschaw, moss of, 337.
Divinity, chair of, mortification for, 403.
Dolas, Adam, 321, 322.
Don, anchorage and shore dues on, lease of, 396.
—— bridge of, 207, 244, 351, 403; built by King Robert the Bruce, 351.
—— contribution for upkeep of, 244.
—— fishings on, 55, 56, 57, 61, 105, 126, 127, 137, 138, 168, 169, 212, 237, 390.
—— mortification for upkeep of, 351.
Donaldson (Donaldsonne), Alexander, 336, 351.
—— Duncan, 74, 75, 343.
—— John, 344, 355.
Dornoch, church of St. Gilbert of, donation to, 297.
Douglas, Archibald, 22.
—— James, lord of, 12, 15, 22.
—— Mr. Richard, 360.
—— William, earl of, 21.
Downy, Robert, librarian, 401.
Drem, Alexander, baillie, 212.
Drokenesford, John of, 293.
Drum, the laird of, 245.
—— Lady, mortification by, 404.
Drummond, Sir Alexander, 360, 361, 362, 363.
—— John, lord, 35, 329, 332.
—— Walter, dean of Dunblane, 332.
Ducat (Dowcot, Ducket, Duckat), croft, 74, 383, 342, 401.
Dues, grant of, upon goods and shipping, 97.
Duff, Patrick, of Premnay, 395.

Duguid, Robert, 381, 382.
Dumbarton Castle, duplicate standards tn be kept at, 253.
Dumfries, courts at, 272.
Dun, Andrew, 72.
—— Charles, 377.
—— Patrick, 377.
—— Dr. Patrick, grants lands of Ferryhill, 148; mortification by, 373, 374, 375, 379, 402, 404.
—— Mr. Robert, 377.
Dunbar, Mr. Gavin, archdean of St. Andrews, 41, 43.
—— Joneta, 313.
—— Patrick, earl of March, 18.
Duncan, John, 351.
—— John, tailor, 120.
Duncanson, Bricius, 314.
—— John, 316.
—— Robert, 315.
Duncoll, William of, 302.
Dundas, Robert, 223.
Dundee, burgh of, 390.
—— charter dated at, 11.
—— staple port for fish, 244.
Dung, contract anent town's, 396.
Dunfermline, Alexander, earl of, 140.
—— George, abbot of, 35; George, commendator of monastery of, 67.
—— John of, 299.
—— Robert, 80.
—— writ dated at, 98.
Dunkeld, dean of, 293.
—— George, bishop of, 35, 329; James, 34; John, 21; William, 14.
Dunnottar, privy council meeting at, 240.
Dunny, John, 314.
Durham, obligation dated at, 24.
Durie (Duvie), Agnes, mortification by, 404.
Durty, Andrew, 399.
Durward, William, 396.
Duvie, Agnes, mortification by, 404.
Dyce, church of, 146.

Earl Duncan, justiciar, 4, 5.
East Church (old), precentor's bible, 424.
Echt, easter, lands of, 402.
Edie, William, 356.
Edinburgh, writs dated at, 19, 25, 28, 30, 35, 40, 52, 67, 71, 147, 216, 290, 305, 310, 329, 381.
—— castle, duplicate standards to be kept at, 253.
Edlin, Edward, 219.
Edmondson, John, 314.
Edward I., King, homage done to, at Aberdeen, 292.
—— bishop of Orkney, 41.
Edynhame, John de, 388.
Eight roods, the, 74.
Election of magistrates, decreet by privy council annulling, 393.
Elgin, burgh of, 388.
—— staple of salmon to be at, 244.
Elphinston, George, deacon convener, 120, 345, 351.
—— Sir George of, Blythswood, 154.
—— James, of Barnton, secretary, 109.
—— Bishop William, 323.
Elsick, the laird of, 272.
—— lands of, 402.
Elyn, 315, 316.
Enactment books, list of, 420.
English goods to be free of import duty north of Perth, 24.
Eren, burgh of, 388.
Errol, earl of, 229, 245, 277, 279.
—— Francis, earl of, 246.
—— William, earl of, 41, 329.
Erskine, Sir Charles, lyon king, 380, 381.
—— Sir James, St. Clair of Sinclair, 225.
—— Jean, 405.
—— Thomas of, 22.
—— Thomas, lord, 34.
Escheat of wool, etc., granted, which has not paid the great or king's custom, 29, 37; also victual, 39.
Esgaston, Richard, 322.
Essintully, 404.
Esslemont, the laird of, 245.
Ethie, lands of, 203.
Ettale, W., 313.
Ewynson, Henry, wife of, 316.
Exchequer, auditors of, 390.
—— court of, 390.
Excise, Commissioners of, 393.
—— duties, grant of, for eleven years, 207; warrant for payment of, 260; £1000 to be received from, 265; grant of renewed, 276, 279; area of collection extended, 280.
Export, duty of, 3s. per ton granted, 129, 172.

Falconer, Robert, 293.
Falkland, charters dated at, 110, 111, 123, 140, 157; writ signed at, 92.
Fair, grant of, for two weeks from Trinity 8; beginning of, altered from Trinity to Low Sunday, 11; altered to begin at Feast of St. Michael de Monte Tumba, (26th Oct.), 27; free fairs, grant of, 106, 131, 174; licence to hold one yearly, 247.
Fairs, dispute anent, between the burgh and Montrose, 289, 290.
Farquhar, Alexander, councillor, 261.

Farquhar, Mr. Robert, 261, 376.
Farquharson, William, 55.
Fergus, 313.
Ferleter, Bricius, 314.
Fernwale, Meg, 312.
Ferryboats on Dee and Don, privilege of, granted, 128, 170.
Ferryhill, lands of, 148, 337, 373, 374, 375, 376, 377, 378, 379, 402.
Fetes, Marion, 314.
Feuars to be subject to the courts of the burgh, 50; and to be free burgesses, 50; list of, 53; forbidden to bring new land under cultivation, 64.
Feu charter of lands and fishings granted by the provost, etc., confirmed by Q. Mary, 52, 103, 118.
Feuduties of lands and fishings, 61, 62, 63, 95.
Fiars' prices, register of, 430.
Fichet (Fechat, Fychet), John, 313, 315.
—— Matthew, 323, 398.
—— Richard, 313.
Fiddes (Fuddes), William, 355.
Fife (Fyffe, Fyff, Fyf), Duncan, earl of, 18, 289.
—— James, 395.
—— John, 229, 315, 323.
—— Malcolm, earl of, 8; Robert, earl of Mentieth and, 21, 22.
Fill the cop croft, 354.
Filthy coppis, 72.
Findon, 404.
Findlater, earl of, vice-admiral, 396, 402.
Findlay (Fynlay), John, 316.
Fishings, salmon, in the Dee and Don, grant of, 13; adjacent to burgh lands in Kincardineshire, 223; produce of, to be free of custom, 33, 46; liberty granted to set in feu, 48, 102; grant confirmed, 105, 107, 113, 168; bounds of, 127, 168, 169, 223; grant of, to George Auchinleck, revoked, 237; confirmation of revocation, 240.
Fishing, white, grant of, 138, 169.
Flemyng, Malcolm, 18.
Flemings, letters of reprisal for apprehension of, 387.
Flesher (Fleschewar, Fleschear), James, 313.
—— Mr. John, 399.
Fletcher, Andrew, of Milntown, 222.
Flokwelheid, the, 340.
Floors, 73.
Foircroft, 95.
Foord fishing, 55, 61, 126, 168.
Forbes, Alexander, 120, 336, 345, 351, 382, 398, 441.
—— Alexander, of Burghis, 389.
Forbes, Alexander, of Ludquharn, baillie, 212.
—— Master Arthur, notary, 214.
—— lord, 229, 279.
—— Thomas, baillie, 141, 360.
—— William, of Barnes, 127, 169.
—— Sir William, of Monymusk, 406.
Forester, Sir Duncan, of Skipynch, 35.
Forfar, sheriff of, 301.
Forres, burgh of, 388.
Forresterhill, lands of, 341.
Forster, Thomas, plumber, 395.
Fortifications, licence granted for, 45.
Fotin, St., patron of Torry, 330.
Foty, W., 313.
Foverane, the laird of, 245.
Franciscans, church of, the, 189; property of, 163, 178, 179.
Fraser (Fresale), Alexander, 56, 300.
—— Alexander, chamberlain, 14, 15.
—— Andrew, of Stoneywood, 392.
—— John, 312.
—— John, mortification by, 404.
—— Mr. John, dean of Lestalrig. 35, 36.
—— Lady, of Durris, mortification by, 404.
—— Lord, 279.
—— Robert, 316.
—— Symon, 10.
Fraserburgh, burgh of, 396.
Freeholders, voting lists of, 431.
Frendraught, Duncan of, 293.
Friars, Minor, resign their possessions, 332; habitation of, granted for hospital, 68, 89; property of Black and White, granted to hospital, 71; property of dishonesty alienated, 78; property of Black, 95.
—— preachers, croft of, 75.
—— preachers, donations to, from burgh ferms, 296.
—— places to be upheld for the common good, 230.
Frosterhill, lands of, 53, 62.
Fuel, grant of, 13, 65.
Furca et fossa, meaning of, 196.
Futfaill, 26.
Futhas, Duncan, 316.
—— John, 316.
Futtie (Footy, Footie, Fittie), 73, 128, 137, 138, 161, 171, 195; boats and white fishings of, 171; chapel of, 171; church of, 189, 383, 403.
—— myre of, 73, 344, 355, 382.
—— myre cuttings of, 355.
—— suburb of, 106, 107.
—— territory of, 354.
—— town of, 344, 382.
Futtiesholl, 382.

Fyndmark, the, 74.

Galdfridson, Alexander, 313.
Galloway, Mr. Alexander, rector of Kinkell, 354.
Gallowgate, the, 343, 381, 382.
Gallowgatehead, the, 73, 128, 160, 170, 381.
Gallowhills, the, 72, 73, 134, 163, 178, 356.
Gallowgate port, the, 343, 355, 381, 384.
Garden (Gardyne, Gardyn), lands of, 53, 62, 339.
—— district of, 745.
Gareaucht, John, 334.
Garioch, earldom of, 81, 83.
Garnoch, John, 315.
Garntuly, Patrick, 312.
Garvack's (Garrakis) wynd, 73, 344, 382, 383.
Garvok, Laurence of, 301, 302, 306.
Gasworks, railway to, act authorising, 286.
Gatmilk, Robert of, 301, 302, 306.
Gavin, bishop of Aberdeen, 81.
Gelchauch, Simon, collector of customs, 298.
Gellie, baillie, 383.
George II., King, charter by, 216.
—— III., charter by, 222.
—— postulate of the Isles, 41.
Gerard, William, mortification by, 404.
Gicht, W., 313.
Gifford, Andrew, 314.
—— Hugh, 4.
—— William, 5.
Gilbertson, John, 315.
Gilcomston, lands of, 402.
Gildeford, John of, keeper of the castle, 291.
Gill, John, 301, 302, 306.
Gilmour, John, 363.
Gilruth, William, 316.
Girdleness, 223.
Girkyn, 316.
Girvan in Carrick, charter dated at, 16.
Gladstone (Gledstane), John, 314.
Glait, Duncan de, 323,
Glamis, Lord, 229.
—— John, lord, 35, 329.
Glasgow, Andrew, bishop of, 32.
—— canon of—Patrick Leiche, 35.
—— courts at, 272.
—— dean of, Mr. Rich, Murehede, 35.
—— John, chancellor of, 34.
—— Matthew, bishop of, 22.
—— Robert, archbishop of, 35.
—— Robert, bishop of, 289, 329.
—— William, bishop of, 27.
Gleny, Angus, 313.
Glespy, Robert, 317.
Gley, Donald, 314.
—— Gib, 316.
—— Nicholas, 316.
Goldsmith, Gwny, 316.
—— John, 301, 302, 305, 317.
Good men, meaning of, 3.
Gordon, Adam, of Auchindoun, 235.
—— Mr. Adam, 354.
—— James, of Seaton, 212.
—— John, in Corfidy, 395.
—— John, in Myltown, 400.
—— Dr. John, 398.
—— Robert, mortification by, 404.
—— Lord William, vice-admiral, 397.
Gothray, Andrew, 342.
Goven, John, 312.
Graham, Patrick of, 9, 10.
Grammar school, 151, 373, 376, 377, 378, 402, 404, 423.
—— certain pupils to be taught free at, 377.
—— fees at, 376.
—— mortification for four teachers at, 151, 373.
—— record of visitations, 423.
—— visitation of, provided for, 377, 378.
Gray, Alexander, 54, 353, 356.
—— Andrew, 398.
—— Andrew, lord le, 27, 35, 41, 329.
—— Gilbert, 73, 74, 336.
—— Patrick, 55.
—— Robert, 316.
—— Mr. Thomas, councillor, 261.
—— Thomas, mortification by, 403.
—— William, baillie, 141, 360, 363.
Greenlaw, Simon of, 297.
Green meadow, 128, 161, 171.
Greenwellheads, 342.
Gregory (Gregorie), David, librarian, 401.
—— Dr. James, 402.
Greig (Grig), Andrew, 317.
Greyfriars place, the, 232, 343, 391.
—— property of the, 391.
—— resignation by, 390.
Grote, Gilbert, 441.
Guardians of the kingdom, letters patent by, 387.
Guild box, mortifications to, 404.
—— record of additional fund to, 424.
Guild, brethren's hospital, 402; accounts of, 418.
—— court book, 419.
—— merchant granted, 7; confirmation of, 117, 131, 173.
—— wine fund, 405.
—— Jean, mortification by, 404.
—— Dr. William, mortification by, 397, 404.
Guildry accounts, 418.

Guildry minute books, 423.
Guthrie, Master David, of Kincaldrum, treasurer, 32.
—— Gilbert, 54.
Gylyot, Alexander, 301, 302, 305, 310.

Haddington, Adam of, 302.
—— Thomas, earl of, 154.
Haddo, the laird of, 272.
Hall, Joneta, 316.
Hamburgh, measure of, to be standard for salmon, 229.
Hamilton, James, marquis of, 140, 154, 198.
—— Mr. James, 363.
—— John, marquis of, 109.
—— Sir John, of Orbieston, 198.
Hannay, 316.
Hanse, grant of free, 3.
Harbour, grant of, 106, 129.
—— acts relating to, 281, 282, 283, 284, 285,
—— dues, grant of, 98, 106, 129.
—— voluntary collection for repairing, 274.
Hardie, James, 363.
Hardweird croft, 342, 384.
Harrow (Harow), George, 72.
—— John, 314.
Harn, Robert, 316.
Harper, W., 313.
Hart, Sir William, of Preston, 121.
Harvey, Mr. Andrew, notary public, 66.
Hastings, David of, 8.
Hay, Alexander, 56.
—— Alexander, clerk of the rolls, 80, 250.
—— Mr. Alexander, 351, 358.
—— Sir Alexander, 403.
—— George, of Monkton, 360.
—— George, of Netherliff, 140.
—— Gilbert, of, 11; constable, 14, 15.
—— Hugh, of the, 293.
—— John, councillor, 261.
—— Sir John, of Laud, 154; of Barro, 198.
—— Patrick, 441.
—— William, of, 5.
—— William, bachelor of divinity, 87.
—— William, notary public, 87.
Hazelhead, lands of, 55, 62, 63, 337, 338.
Hedonis hill, 134, 163, 178.
Hendchild, Richard, 301.
Henry VI., King, 317, 318, 319, 320.
—— grants, safe conduct to Aberdeen merchants, 321.
—— Prince, baptism of, 391.
—— King of England, 23.
Henryson, John, 314, 316.
—— Thomas, 314.
Hepburne, Patrick, 149, 373, 375.
—— George Buchan, 223.
—— Mr. William, 149, 373.
Herizeld, 76.
Hervy of Crambath, dean of Dunkeld, 293.
—— Duncan, 315; Gilbert, wife of, 315.
—— John, 312.
Herys, John, 311.
Hesilhead, 314.
Highlands of Scotland, record anent disarming of the, 430.
Hilton, Adam of, 311.
Hospital of Aberdeen, bible belonging to, 424.
—— new, of Aberdeen, erection of, 69; grants to, 71, 89.
—— Poor's, obligation to build a, 236.
—— St. Thomas', 336.
Holy Cross, altar of, 399.
Holyrood, Archibald, abbot of, 34.
Holyrood House, writs dated at, 88, 97, 99, 122, 154, 201, 204.
Holy Trinity, convent of at Aberdeen, 148, 355.
—— parks, 72.
Horpletillam, park of Rubislaw, 396.
Horsehiring, assedation of casualties of, 396.
House of Correction, acts relating to, 282, 283.
Howy, John, 356.
Howison (Howesone), Alexander, 336.
—— Martin, 54, 74, 336, 342.
—— Walter, 400.
Huet, Meg, 316.
Humbie's, lord, act, 263.
Hume, Alexander, of that ilk, 329, 332.
Hunter, Andrew, 336.
—— Thomas, 314.
Huntly, the earl of, 245.
—— George, earl of, 67, 87, 231, 235, 246, 391.

Import duty granted of 3s. per tun, 129, 172.
Impost duties, relief from, on ale and fish, 14; on all outside the burgh, 15; on all outwith or within burgh, 16.
Incarceration and liberation books, list of, 421.
Inchcoulter, lands of, 203.
Inches, grant of, 127, 169.
Inchestur (Inchethur), Andrew de, 20, 388; John de, 388.
Inchmichael in Galloway, charter dated at, 17.
Indentures, register of, 421.
Infangthef, meaning of, 196.
Infirmary, discharge by managers of, 396.
Inglis, Mr. Alexander, arch-deacon of St. Andrews, 329.
Ingram, John, town-clerk depute, 412.

Innernochty Galfrid, 312.
Innerrory, W., 313.
Innes, William, of, 293.
—— Mr. Robert, 381.

Insula, Cristinus de, 289.
Inverbervy, to return a member to parliament conjointly with other burghs, 278.
Inverness, burgh of, 388.
—— courts at, 272.
Inverury, burgh of, 404.
Irvine (Irving), Alexander, of Drum, mortification by, 403.
—— Alexander, of Murtle, 405.
—— Henry, 389.
—— John, 55, 73.
—— Mr. Richard, 351.
—— Roger, of, 300, 301.
Jack (Jak), Andrew, 73, 343.
—— Patrick, 391.
Jackson (Jacson), William, 315.
Jaffray, Alexander, councillor, 261.
—— Mr. Alexander, 376, 379.
—— Sir Andrew, chaplain, 400.
—— John, councillor, 261.
James I., king, bond by, 388.
—— charters by, 22, 119, 165.
—— grants caution for his ransom money 22.
—— ransom fixed at £40,000, 317, 318, 319.
—— II., charters by, 24, 25, 27, 29, 38, 40, 165, 388.
—— III., charters by, 30, 33, 119, 165, 388, 389.
—— IV., charters by, 36, 38, 102, 117, 122, 123, 165, 323, 329, 365, 389; decreets confirmed by, 35, 41.
—— creates Old Aberdeen a burgh of barony, 323.
—— creates Torry a burgh of barony, 329.
James V., letters patent by, 165, 389.
—— remits all ill-will and action against the community, 43; empowers the provost, &c., to fortify the burgh, 45.
—— VI., charters, &c., by, 68, 71, 81, 88, 90, 92, 94, 95, 97, 99, 100, 103, 110, 141, 157, 165, 390, 391, 392; ratification of, 249, 255, 272.
James, steward of Scotland, 289.
Jameson, John, 316.
Jedburgh, courts at, 272.
Jesus, altar of, 399, 400.
Joffrayson, James, 317.
John, 313, 315.
Johnson (Johnstone), Alexander.
—— Andrew, 316,
—— Andrew, wife of, 315.
—— John, 302, 314, 403.
Johnson (Johnstone), Laurence, 313.
—— Michael, 314.
—— Nicholas, 302.
—— Robert, 313, 405.
—— Robert, baillie, 141, 360, 363.
—— Thomas, 301, 317.
—— Dr. William, 376.
Justice court, accounts, 420; books, list of, 420.
Justice Mills, 106, 128, 161, 170, 337, 389, 392.
Justice port, the, 382.
Justices, appointment as, 239.

Kay, James, 342.
—— John, 342.
Keith, Alexander, of Balmuir, 401.
—— Sir Alexander, of Ludquharn, 393.
—— John, of Ravenscraig, 87.
—— Sir John, of Keith-hall, 272.
—— Robert of, marischal, 11, 12, 14, 18.
Kelso, Robert, abbot of, 35.
Kempt (Kemp), Alexander, 353.
—— John, mortification by, 405.
Kempty, John, 323.
Kennedy, Gilbert, lord, 32.
—— James, town-clerk, 412.
—— Mr. John, notary public, 66.
—— Mr. John, town-clerk, 233, 235, 236, 334, 335, 351, 410, 411.
—— Thomas, 219.
Kerd, Duncan, 315.
Kerr, Robert, 222.
Keyhead, the, 367, 369.
Kilbanks croft, 389.
Kilchoane, lands of, 203.
Kildermoric, lands of, 203.
Kinbeachie, half davach of, 203.
Kincardine, Alexander, earl of, 206, 394.
—— castle of, sasine of to be given, 291.
—— charter dated at, 10.
—— county of, 400.
Kincardineshire, grant of salmon fishing on coast of, 223.
Kincorth, lands of, 81, 83.
Kincurdy, lands of, 203.
Kindrocht in Mar, charter dated at, 21, 118.
King street, 397.
King's cavill, fishing on Don, 127, 169.
King's college, 279, 353, 374, 394, 402.
Kingshill, lands of, 53, 63, 64, 339.
Kingswells, lands of, 56, 63, 339, 340.
Kinkell, lands of, 203.
—— parsonage of, 143, 147.
—— rector of, 354.
Kinlochglass, lands of, 203.
Kinloss, church of St. Mary of, 388.
—— Thomas Dere, abbot of, 300.
Kinmundy, lands of, 340, 402.

Kinneff, 369.
Kinnoul, George, earl of, 154.
Kinross, Andrew, 315; Gilbert, 315.
Kintor (Kyntor), earl of, 277, 279.
—— Alexander, 356.
—— Gilbert, 55, 73.
—— James, 54.
—— Richard, 323, 356.
—— William, 314, 355, 398.
Kintore, charter dated at, 9.
—— commissioner for, 270.
Kirk and bridge works, accounts, 416, 417.
Kirkhill, lands of, 403.
Kirkintilloch, Adam of, 301.
Kirk session, collector of, 402.
Knollis, Alexander, 53.
—— Gilbert, 56.
—— John, 55, 398.
Knowis, George, 401.
—— William, 401.
Kyd, Robert, 301, 302, 306.
Kyndy, John, 323.
Kyngorne, John de, Vicar, 398.

Lacy, Walter de, 300.
Lady croft, 74.
Laing, David, 410.
Lamb, Marion, 314.
—— May, 313.
—— Simon, 314.
—— Thomas, 313.
Lambton, William, wife of, 314.
Lambynton, John, 314.
Lands, liberty granted to set in feu, 48; feu duties of, 62.
Lang-rigs, the, 355.
—— Thomas, 302.
Langland's croft, 74.
Lant, Matthew, 218.
Lauderdale, John, earl of, 206.
Lawbog, 340.
Lawson, Alexander,
—— John, 314.
—— Mr. Richard, 35.
—— Thomas, 316.
Leggis croft, 338.
Leiche, Patrick, canon of Glasgow, clerk of register, 35.
Leith (Leth, Lethe) to be a staple port for white fish, 244.
Leith, Alexander, 72.
—— Anny, 316.
—— Henry, of Barnes, 82, 83.
—— Laurence, 314.
—— John, of Montgerrie, 356.
—— William of, 301, 302, 306.
Lennox, duke of, 360, 393.
—— Ludovick, duke of, 391.
Lentenvare, meaning of, 26.
Leiper, Alexander, 314.
Leper house, the, 353; to be repaired, 233.
—— myre, 232.
Leslie, family of, 389.
—— Andrew, 54.
—— George, 334.
—— James, 232, 233.
—— Patrick, 41.
—— Patrick, elder, 261.
—— Patrick, younger, 261.
—— Thomas, deprived of his freedom, 394.
—— William, 441.
—— Provost William, mortification by, 404.
Lestalrig, dean of—Mr. John Fresale, 35, 36.
Letters received and sent, list of, 422.
Liddell (Lidell, Lydale), Duncan, 403.
—— Dr. Duncan, mortification by, 141-4, 405.
—— Katherine, 313.
—— Nicholas of, provost, 296; collector of customs, 298.
Licharwood, Robert, 316.
Lichfield, Adam of Hilton, clerk of the diocese of, 311.
Lickley, John, 383.
Liel, Andrew, treasurer, 398.
Lile (Lyly), Robert, 312.
—— Robert, lord, 35.
Lindsay (Lindesay), Alexander of, 21.
—— David of, 12.
—— Walter of, 8.
—— William, 382.
—— William, goldsmith, 395.
Links, the, 134, 138, 163, 178, 344, 354, 355, 382, 383.
—— Old Town, march of, 396.
Linlithgow, earl of, high admiral, 393.
Linton, George, horsehirer, 396.
Litster (Litstar), Adam, 312.
—— Alexander, 312.
—— John, 398.
Litsters, decreet by Privy Council anent, 392.
Livingston (Levingston, Lyingson), Alexander, of Donypace, 67.
—— Andrew, of Solmys, 83.
—— Donald, 317.
Loch, the, 72, 134, 163.
Lochfield croft, 391.
Loch Leven, charter dated at, 15.
London, city of, 321, 322.
Lorimer (Lorymer), Nicholas, 317.
Lorn, Angus, 314.
Lothian, archdeacon of—Archibald Whitelaw, 34.
Louche, Ellen, 312.
Loudon, John, earl of, 199, 202.

Lovat, lord, 203.
Lowden, 313.
Lowman, Duthac, 316.
—— Robert, 313.
—— Thomas, 312.
Lowson (Lowsoun, Lowsone), Alexander, 55.
—— Andrew, 54.
—— Bessy, mortification by, 404.
—— John, 54, 336, 343.
—— Mr. Vedast, 372.
Lucris, John, wife of, 316.
Lukar, Thomas, 315.
Lumsden (Lumsdane), Robert, 441.
—— Mr. Robert, 73, 233.
—— Mr. Robert, of Clova, 353.
—— William, 382.
Lynron, Thomas, 315.
Lyon's rig, 383.
Lyon, William, 54.

McGill (Makgill, Macgill), James, clerk register, 390.
—— Mr. James, of Nether Rankelour, 70.
—— Sir John Dalrymple Hamilton, 223.
McKenzie, George, Stonehaven, 394.
Maccuswell, John of, 8.
Magistrates, commission appointing, 396.
—— election of, for 1647, 261.
Maills, burgh, fixed at £213 6s. 8d. sterling, 12, 48, 103; augmentation of by 20s., 108; sum declared to be £214 6s. 8d. Scots instead of sterling, 111-3, 139, 197; or 320 merks, 241; alteration approved of by parliament, 250.
Mair, John, 400.
Maitland, Alexander, of Pittrichie, 406.
Malcolm, 313.
Maleville, G. of, 4.
Malis, brother of the earl of Strathearn, 4.
Malt, ground, regulation as to sale of, 180, 270.
Malters, impost payable by, 209, 277.
Malyson (Malysoun), Alexander, 73.
—— Andrew, 73.
—— Gilbert, 55.
—— John, 55.
—— Patrick, 334.
Mar (Marr), Adam, 72.
—— David, 53, 296, 336, 354.
—— David, baillie, 333.
—— earl of, 279.
—— Gilbert, 54.
—— Gilchrist, earl of, 5.
—— John, 56, 354, 355, 356.
—— John, baillie, 41.
—— John, earl of, 115, 141.
—— Marion, 312.
—— Robert, 55.
Mar, Thomas, 313.
—— William, earl of, 21.
March, earl of, vice-admiral, 396.
—— Patrick Dunbar, earl of, 18.
Marchand, Henry, 400.
Marches, dispute as to, 391.
—— inner, perambulated, 381.
—— riding of, 105, 168, 336, 381, 395.
Margaret, queen of Scotland, 292.
Marischal college. *See* college.
—— (Mareehell), David, 8.
—— earl, 245, 279.
—— Henry, 8.
—— George, earl, 109, 140.
—— William, earl, 35, 70, 154, 370.
Marischal, earl, lodging in Castlegate, 396.
Marjoribanks, Mr. Thomas, of Rotho, 67.
Markets, writs as to privileges of, 393.
Market cross, contract for building, 394,
—— sasine taken at, to be sufficient, 137, 164, 193, 220.
Market days, grant of, 131, 174.
Martin (Martyn), Henry, 315.
Martyson, Andrew, 311.
Mary, Queen, 333.
—— charters by, 46, 48, 52, 102, 118, 165, 390.
—— licence granted by, 397.
Massie, Alexander, mortification by, 403.
Mathematics, chair of mortification for, 403.
Mathieson (Matheson, Makesoun, Mackeson), Alexander, 399.
—— Andrew, 314.
—— David, notary public, 87.
—— Elizabeth, 389.
—— William, 389.
Maxwell, John, 293.
—— John, lord of, 293.
Mayor, term of, applied, 4.
Measure, standard for herring and white fish to be kept at Edinburgh, 243; and that for salmon at Aberdeen, 188, 243.
Meldrum, Andrew, mortification by, 403.
Melton, William, of, 293.
Melvill, Captain, 382.
Memorial and consultation book, 424.
Menteith, John of, 11.
—— Robert, earl of, 21.
Menzies (Mengzes, Meignes, Mengzies), Alexander, 55.
—— Alexander, elder, 336.
—— Andrew, 56, 229.
—— David, 55, 323, 351.
—— David, baillie, 120, 345.
—— Mr. Edward, chaplain, 66, 335.
—— George, 54.
—— Gilbert, 74, 315, 334.
—— Gilbert, junior, 56.
—— Gilbert, senior, 55, 74, 336.

Menzies, Gilbert, of Cowlie, baillie, 231.
—— Gilbert, of Pitfoddels, 372, 392, 402.
—— Gilbert, provost of Aberdeen, 41, 81, 82.
—— Hallibrand, 334.
—— John, 398.
—— Patrick, 334.
—— Paul, of Kinmundie, provost, 370.
—— Robert, 56, 367, 368.
—— Robert, elder, 336.
—— Robert, baillie, 335.
—— Robert, of Kinmundy, 402.
—— Thomas, 367, 368, 371, 372.
—— Thomas, junior, 53.
—— Mr. Thomas, 54.
—— Thomas, of Pitfodels, 53, 58, 335, 397.
—— Sir Thomas, provost, 141, 360, 363.
Mercer (Merser), John, 301, 302, 306.
—— Mr. Thomas, 379.
Merchandise to be sold only within the burgh, 6; within the burgh and sheriffdom, 131; unfreemen forbidden to exercise, 132, 174; liberty of, granted, 173.
Merchet of Women, note as to, 77.
Mernys, John, 314.
Meyners, Alexander of, 11.
Michaelson, William, 315.
Midchingle fishing, 60, 126, 168.
Middleburgh in Zealand to be a staple port, 387.
Middleton, master George, baillie, 231.
—— John, of Seaton, 396.
—— colonel John, of Seton, 396.
Millar, Archibald, 441.
Mills, grant of, 13, 106, 128, 132, 170.
—— Upper, Nether, and Justice, 106, 128, 161, 392.
Milne, James, mortification by, 403, 405.
Minister in Aberdeen, mortification for support of a, 397.
Ministers, power granted to choose and nominate, 190; £100 given for their support, 201, 205; teinds part of provision for, 219.
Minor Friars, habitation of, granted for a hospital, 68; grant of, confirmed, 134, 136.
Modane, Anny, 313.
—— John, 313.
Moir, Alexander, 395.
—— George, of Scotstown, 396.
—— James, of Stonywood, 213.
—— John, town clerk, 413.
—— Mr. William, councillor, 261.
Molfane, Thomas, 313.
Mollison (Mollesone, Mollisoune, Molysoun), town clerk, 365.
—— Alexander, 353
Mollison, Patrick, 336.
—— Thomas, town clerk, 411.
—— Mr. Thomas, 351.
Montgomerie, John, mason, 394.
Montrose, burgh of, 278, 390.
—— to return a member to Parliament conjointly with other burghs, 278.
—— John, earl of, 109.
Moray (de Morauia), Andrew, bishop elect of, 34.
—— archdeacon of—Archibald Whitelaw, 32.
—— bishop of, 229.
—— burgesses of, 3.
—— James, earl of, regent, 68, 89.
—— John, 317.
—— John, bishop of, 388.
—— Richard, bishop of, 5.
—— Thomas, 313.
Moreville, Richard of, constable, 4.
Mortcloths, contract with craftsmen as to, 395.
Mortification accounts, 416, 417.
Mortifications, debt incurred to, 207.
—— register of, 423.
—— writs relating to, 403.
Mortimer, Mr. John, 366, 367, 368, 371, 372.
—— Thomas, councillor, 261.
Mortoun, James, earl of, 70, 92, 233, 235, 237, 241.
—— William, earl of, 152.
Mowat, George, dean of guild, 402.
—— James, mortification by, 404.
—— Thomas, councillor, 261.
—— Thomas, town clerk, 412.
—— William, 293.
Moy, Little, lands of, 203.
Munth (Mount), the, 3, 330.
Muchalls, lands of, 405.
Muirhead (Murehede), Richard, dean of Glasgow, 35, 329, 332.
Mungwale, John, 313.
Municipal boundary, acts for extension of, 285, 286.
Murcar (Murtor), lands of, 237, 241.
Murray, Andrew, 354, 355, 400.
—— Sir Gideon, of Elibank, 116, 141.
—— Mr. Gilbert, notary public, 66.
—— John, 400.
—— Sir Robert, 206.
Murtle, lands of, 405.
Mussel scalps belonging to the burgh, tack of, 395.

Narne, Alexander, of Sandfurde, 27.
Nase, Andrew, 312.
Neilson, John, 399.
Nesbit, John, 316.

Nether mill, 128, 161, 170.
Nets, liberty to draw and dry, 127, 169.
Newhills, church of, 394, 403; patronage of, granted, 205; town and lands of, 206.
New streets, 397.
Nicholas, rector of the schools, Cupar, 301.
Nicholson (Nicolson), David, 410.
—— James, Peebles, 441.
—— John, 54, 410.
—— Mr. John, notary public, 66.
—— Matthew, 398.
—— Patrick, 399.
—— Thomas, 54, 333.
Nigg, vicar of, 400.
Nookwell, the, 382.
Norman, Anny, 313.
Norton, Fletcher, 223.
Nory, Anny, 314.
—— John, 315.
—— William, 315.
Nucx, Marion, 316.

Obligation of loyalty presented by the burgh, 233.
Ogilvie, James, lord of Airlie, 35.
—— John of, 35.
—— Walter, of Monycabock, 87.
Ogston, Mr. James, 351.
Oliphant, Laurence, lord, 35, 329.
Ord, David, 383.
Organs to be removed out of the kirk, 232.
Orkney, bishop of, donation from burgh ferms to, 296.
—— Edward, bishop of, 41.
Otlands, charter dated at, 198.
Outfangthef, meaning of, 196.

Paip, Mr. Robert, 351.
Paisley, George, abbot of, 35.
Palframan, Simon, 316.
Parliament, member to be returned to, conjointly with Banff and Cullen, 266; conjointly with Inverbervie, Montrose, Arbroath, and Brechin, 278; to return one member, 284; to return two members, 286.
—— record of election of county members to, 431.
Parochial registers, 442-444.
Paterson, John, 315.
—— Wat, 315.
Percy, Roger of, 311.
Perth, burgesses of, 6.
—— charters dated at, 4, 22, 119, 321.
—— certain goods imported at, to be free of custom, 24.
—— courts at, 272.
—— staple port for fish, 244.
Peryson, John, 313.
Petche, Gilbert, 295.
Petrie, James, 441.
Pettans, lands of, 405.
Phipille, Roger, 301.
Philppis, Thomas, 343.
Pitfodels (Pitfoddells), the laird of, 272.
—— lands of, 327.
—— mill of, 338.
Pitmedden, lands, of, 405; grant of, by Dr. Duncan Liddell, 142.
Pitscottie, John, son of Randulph of, 293.
Pius IV., pope, 332.
Playfair, Mrs. Mary, mortification by, 404.
Playfield, the, 134, 163, 178.
Pluscarden, George, prior of, 87.
Pluverane ley, the, 340.
Polgowny (Polgony), Andrew, 317.
—— lands of, 237, 241.
Police acts relating to the burgh, 282, 283, 284, 285, 286.
Police, records of commissioners of, 423.
Pollable persons, list of, within burgh, in 1694, 394.
Pollock (Polloc), Alexander, 316.
—— John, 317.
Ponfret, Andrew of, 302.
Population returns, 431.
Port of Aberdeen, 97, 129, 171.
Port Leviathan (Portlethen), 395.
Porterfield, Colin, 334.
Pot fishing, 54, 61, 126, 168.
Potter, Simon, 302.
Powis, Nelie, 343.
Pratt (Prat), Elizabeth, 400.
—— Sir John, chaplain, 399.
Preaching Friars' croft, 353, 354.
Prepositus, meaning of, 4.
Primrose, Archibald, collector of taxation, 99.
Pringill's croft, 74.
Prison to be repaired, 279.
—— contract for building of a, 392.
Proclamation books, 423.
Propinquity books, list of, 420.
Protests, register of, 426.
Provost and baillies, jurisdiction of, 41.
Public works, overseer of, contract as to salary, 395.
Punishments, power as to, 185.
Pynour croft, 74.
Pynournuke croft, 74.

Quarry, disposition of stone, 396.
Quay to be repaired, 274.
Queensbery, duke of, vice-admiral, 396.

Ra, Andrew, 343.
Rabbit warren of Aberdeen, 72, 73.
Raddery, Easter, lands of, 203.

Radulph, Richard, son of, 297.
Rae, David, of Eskgrove, 225.
Raeden fald, 340.
Ragenhill, William of, 311, 312.
Raik and Stell fishing, 53, 60, 126, 168.
Ramsay, William of, 311.
Ransom of James I. undertaken by Edinburgh, Perth, Dundee, and Aberdeen, 23.
Ranulph, Thomas, chamberlain, 9; earl of Moray, 11; lord of Annandale and Man, 12, 14.
Rattray, Robert, 54.
Rauff, Anny, 315.
—— Magy, 313.
Ravenscraig, the laird of, 245.
Rawson, Robert, 360.
Ray, Alexander, baillie, 211.
Rebellion of 1745, books relating to, 424.
Rebels, Highland, insult, invade, and oppress the burgh, 276.
Record Office, act relating to, 284.
Records under charge of H.M. registrar general, 433-444.
—— under charge of sheriff clerk, 425-432.
—— under charge of the town clerk, 387-424.
—— miscellaneous, 445.
Reder, Patrick, 302.
Reformation, instructions for furtherance of the, 231.
Regality, meaning of, 131.
Register of burgesses, 421; burgesses (honorary), 421; council proceedings, 407; craftsmen, 421; deeds, 415, 427; indentures, 421; mortifications, 423; propinquity, 420; sasines, 410.
Reid (Rede), Alexander, alderman, 36.
—— George, 381.
—— John, 56.
—— Sir John, chaplain, 399.
—— Secretary, mortification by, 404.
Reid's mortification, 401.
Renfrew, Galfrid, 315.
Riburn, David, 314.
Richardson, 317.
—— Alan, 315.
—— Andrew, 315.
—— John, 289, 315.
Rickart, John, mortification by, 405.
Rig, lang, the, 353.
Ritchie, Alexander, mortification by, 404.
Roads, acts relating to, 285, 286.
Robert I., king, bridge of Don built by, 352.
—— charters by, 10, 11, 12, 14, 15, 16, 28, 36, 48, 165, 189, 237, 255, 364, 365, 387.
—— II., charter by, 19, 118, 165, 388.
—— III., charter by, 21, 165, 388.
—— steward of Scotland, 18, 21.
Robertson, Alexander, town clerk, 412.
—— Sir Alexander, 400.
—— Arthur, 383.
—— Bricius, 313.
—— Charles, councillor, 261.
—— George, 412.
—— George, mortification by, 404.
—— Mr. George, 372.
—— John, 316.
—— Walter, 314.
—— Walter, town clerk depute, 363; town clerk, 372, 411, 412.
Robeson, John, 441.
Roger, friar John, 332.
Rolland, Alan, son of, constable, 5.
—— Catharine, mortification by, 397, 403, 405.
—— David, 54.
—— James, mortification by, 403.
—— John, 54.
—— Isobel, or Thomson, 391.
Ronaldson, Alexander, 120, 345, 351.
—— William, 344.
Roule (Reuel), Henry, 5.
—— Thomas, 316.
Ross, bishop of, 229.
—— bishopric of, £100 granted from, 201, 205.
—— John, baillie, 212.
Rosskeen, mill of, lands of, 203.
Rothes, John, earl of, 206.
Rothiemay, lady, mortification by, 404.
Rothy, John, 315.
Royalty, meaning of, 131.
Roxburgh, Robert, earl of, 198.
Rubislaw, lands of, 19, 53, 62, 74, 118, 137, 138, 160, 168, 194, 342, 384, 388, 396.
—— lands of, granted in fee and heritage, 19.
—— meadow of, 337.
—— town of, 337.
Rutherford (Ruthirford, Rotherford), 315.
—— Alexander, 53, 73, 363, 364, 365, 366, 372, 390.
—— Alexander, provost, 363, 364, 365, 366.
—— Mr. David, 366, 368, 371, 372.
—— Sir John, burgess of Aberdeen, 41; provost, 393.
—— Master Patrick, baillie, 231.
—— Richard, 323.
Ruthrieston, lands of, 82, 83.

St. Andrews, burgh of, 390.
—— John, archbishop of, 67, 70, 143, 198.
—— John, prior of, 329.
—— Patrick, archbishop of, 80.
—— Walter, bishop of, 22; William, bishop of, 14, 21, 289.
St. Catharine, altar of, 399.

St. Catherine's chapel, 189.
—— hill, 134, 163, 179.
St. Christopher, altar of, 399.
St. Clair, Robert of, 8.
—— William of, 9, 10.
St. Clement's chapel, 189.
—— kirkyard, 344.
St. Duthac, altar of, 398, 400, 401.
St. George, altar of, 399.
St. James, court of, charter dated at, 222, 226.
St. John the Baptist, altar of, 398, 401.
—— William, lord, 35, 329.
St. John's, burgh of, 390.
—— croft, 74.
—— well, 384.
St. Joseph, altar of, 399.
St. Machar, parish of, 148, 212, 373.
St. Martin, altar of, 401.
St. Martins, lands of, 203.
St. Mary ad Nives, rector of, 399.
St. Michael, altar of, 398; patronage of, resigned, 393.
St. Nicholas, church of, 378, 403.
—— chaplains of, 335.
—— churchyard, directory for, 424.
—— rector of, 214.
St. Ninian's chapel, 189.
St. Paul's church, 317, 318, 319.
St. Peter, altar of, 398.
St. Thomas, altar of, 399, 400.
St. Thomas' hospital, 404.
Sac, meaning of, 196.
Sadler (Sadillar), Iby, 313.
—— Robert, 312.
Salmon gauge or standard, appointment as keepers of, 188, 243; to be the measure for salmon throughout the kingdom, 253.
—— relief from custom on, granted, 33, 46.
Salt to be free of custom, 25.
Salton, William of, 302.
Sandersone, Alexander, 441.
Sandilands, 354.
—— James, town clerk, 412.
—— John, 441.
—— Mr. Thomas, 379.
Sangster, William, councillor, 261.
Sasine registers, list of, 410.
Sauser, a., the town's common mark, 337.
—— William, 301.
Scalding, meaning of term, 26.
Scalpy, 312.
Schelp, John, 316.
Scherar (Sheirar), Andrew, 54, 314, 401.
—— Sir Andrew, 400.
—— George, 400.
—— John, 54, 316.
—— John, wife of, 312.
—— Peter, councillor, 261.
Scherar, Thomas, wife of, 313.
—— William, 398, 401.
Schools of Aberdeen, 201.
Schoriswood, master George of, chancellor of Dunkeld, 27.
Schsewas, Andrew, 312.
Scone, Hugh, abbot of, 289.
Scot and lot, meaning of term, 43.
Scott (Scot), John, 312, 316.
—— John, of Scotstarvet, 140.
—— Sir John, of Scotstarvet, 154, 198.
—— Robert, director of Chancery, 80.
—— William, 315.
—— Mr. William, of Elie, director of Chancery, 110.
Scroger, Richard, 301.
Scrogs (Scroggs), John, 315.
—— Robert, 356.
Seafield, earl of, 279.
Seals of the burghs attached to bond of ransom, 310.
Seaton included within area for excise duties, 280.
Selkirk, Charles, earl of, 222.
Sen, Sir Andrew, 313.
Services, minute books of, 430.
—— tutorial and curatorial, 429.
Session, lords of, to sit annually at Aberdeen, 229, 236.
Seton (Setton), David, 410.
—— James, 391.
Sharp, Patrick, 314.
Sheddocksley (Scheddocksley), lands of, 55, 63, 341, 405.
Sheills or huts for fishing, liberty to build, 127, 169.
Sheriff, jurisdiction of, 41; office of, granted, 184.
Shewan (Schewyn), Anny, 314.
Shipping, grant of dues on, 97.
Shore or sea mills, 170.
Shore silver, grant of, 129, 171.
Shorework accounts, 416, 417, 418.
Shortyng, William, 321, 322.
Sibbald (Sibald), Mr. James, minister, 393.
—— Mr. Patrick, nomination as minister, 394.
—— Walter, son of, 5.
Simonson, John, 314.
Sinclair, David, councillor, 261.
Singer, Archibald, 55.
Skene, Easter, lands of, 406.
—— George, 396.
—— George, of Rubislaw, 396.
—— Mr. John, clerk of rolls, 109.
—— Robert, 441.
Skinner (Skinnar, Scynar), Alexander, 316.
—— James, 316.
—— Meg, 316.

Skinner, Simon, 312.
Skinner's scons, 384.
Skins, to be free of all custom, 25, 106.
Skorling, meaning of term, 26.
Slains, 396.
Slater (Sclater), Henry, 313.
Small (Smale), John, 313.
—— John, junior, 313.
Smith (Smyth), 316.
—— Alexander, 382.
—— Rev. Alexander, mortification by, 403.
—— Archibald, 316.
—— Patrick, 379.
—— Mr. Robert, 400.
—— William, 441.
Snow church, parson of, 345.
Somerville, Master John of, 301, 302, 306.
—— William, lord, 27.
Soutar, Joneta, 314.
South church, writs of, 401.
Sow croft, 72, 344.
Spaigney, John, 314.
Spalding, 313.
Spark (Sperk), Sir Robert, chaplain, 400.
—— William, 316.
Spital (Spitel, Spittal) included within area for excise duties, 280.
—— hill, 353, 354.
—— lands, march of, 396.
Sprinct, Malice, 314.
—— Roger, 316.
—— Thomas, 313.
—— William, 316.
Sprouston, Marion, 315.
Staple of merchandise at Middleburgh, 387.
Stane, Alexander, 315.
Statutes, burgh, book of, 424.
—— full power to make, granted, 132, 175.
Steven, Andrew, 55.
Stewart, Alexander, 372, 441.
—— Meg, 314.
Still (Stil), Simon, 316.
Stirling, charters dated at, 27, 32, 80, 119, 122.
—— courts at, 272.
—— William, earl of, 154, 198.
Stocket, forest of, custody of, granted, 10; set in feu, 12, 237, 241; greenwood of, reserved, 13; game in, reserved, 13; claimed by Andro Wod, 36; grant of, confirmed to burgh, 105, 107, 126, 160, 168; liberty given to set or let, 132, 174.
Stokes, Galfrid of, 293.
Stoneywood, marches of lands of, 392.
Strachan (Stratheykyn, Strathachin), Abraham, 314.
—— George, in Glithno, 142, 143.
—— Mr. William, 399.
Stracht, Nether, 338.
Strade, W., 313.
Stragryffe, Robert, 312.
Strathearn, Gilbert, earl of, 4.
Stratoun (Stratton), Andrew, 399.
—— John de, 323.
Streets, acts authorising new, 282, 286.
—— contract anent cleaning of, 396.
Striueling, Sir John, chaplain, 399.
Strommady, lands of, 233.
Squecia, Neil of, 297.
Squiar, Thomas, 315.
Surych, John, 314.
Sutar, Walter, 312.
—— William, 312.
Swan, James, 441.
Swiff Wrightis croft, 340.
Swordslipper (Suerdsleper), John, 316.
Symson, David, 323.
Synessar, lands of, 203.

Tarbat, lands of, 203.
—— mill of, 203.
Taverns only to be kept within the sheriffdom where a knight is lord of the town, 7.
Taxations paid by the burgh, 391, 392, 393.
Taylor (Tailor, Taillor, Taillour), Finlay, 313, 360.
—— Galfrid, 314.
—— George, mortification by, 405.
—— John, 345.
—— Thomas, 314.
—— Wat, 314, 315.
—— William, 316.
Teinds, St. Nicholas', grant of, 199, 219, 258; writs relating to, 406; salmon fishing of Cruives, 211.
Tempest, Richard, 311.
Templar tenements, grant of, 176, 177.
Tenants and tenandries, meaning of, 135.
Tenements in town, writs of, 397.
Testaments, act of council anent, 390.
Thainston (Thaynston), wife of, 316.
Thancard, Thomas, 5.
Them, meaning of, 196.
Thieves' bridge, the, 354, 382.
—— port, 343.
Thol, meaning of, 196.
Thom, Adam, 315.
—— David, wife of, 313.
—— John, 312, 315.
—— Stephen, 313.
Thomson (Thomsone), Alexander, 413.
—— Robert, town clerk, 413.
—— Thomas, 410.
—— Walter, of Inverness, 229.
—— William, 391.
Tocher, Queen's, acquittances for part of, lent to the burgh, 248.
Tod, Mr. George, 360.

Toll, grant of relief from, in any part of the kingdom, 4.
Tolls, grant of, 13, 106, 129.
Tope or tape, meaning of term, 130.
Tore, Adam, 301, 302, 305, 310.
Torry, lands of, 406.
—— town of, created a burgh of barony, 329; grant of cross and weekly market, 331; and yearly fair, 331; privileges granted to, 330; St. Fotin, patron saint of, 330.
Tosh (Toasch), Alexander, 381, 382.
—— Isobel, mortification by, 405.
Totesham, Richard of, 311.
Town clerks appointed depute-clerks of admiralty, 395.
Town council, warrant sanctioning election of, 396.
Town house, 318.
—— act for building a new, 285.
—— licence granted to build a, 21.
Towse, Robert, 391.
Trades' hospital, mortification for, 403.
Trail (Trayle), John, 313.
—— William, 316.
Traquair, John, earl of, 152, 157.
Tregotz, Sir John, 293.
Treasury accounts, 416.
Trinities, the, 383.
Trinity burn, 73.
—— friars, convent of, 374.
Tron, purchase of, 391, 392.
Tronarship, office of, 363, 389.
Troup, George, commission for weights, &c., 392.
Trust funds, act providing for management of, 285.
Tulch, John, 316.
Tullideff (Tullidaff), Gilbert, 405.
—— John, 356.
Tullo, lands of, 56, 63.
Tulloch (Tulach), lands of, 340.
—— John, 315.
Turner (Turnor), John, mortification by, 403.
—— Thomas, 316.
Tweeddale, John, earl, 206.

Udale, davach of, 203.
Umphray (Umfray), Mariota, 353.
—— William, 73.
Union street, 397.
Upper mill, 128, 161, 170.
Urquhart, lands of, 203.
—— John, of Meldrum, 397.
—— Thomas, 441.
Urquharts, the, 397.
Ury, the laird of, 245.
—— Sir Thomas, chaplain, 399.
Usher (Vscher), John, 316.
Usher, William, 316.

Valoines, Philip of, 5.
Valuation of the burgh in 1746, 396.
Vaus (Vause), James de, 323.
—— John de, 323.
—— William, 311, 323.
Vicar, wife of the, 316.
Vipont, Yvon of, 5.
Virgin Mary, altar of, 398, 399, 400.
Voket (Vocate), Alexander, wife of, 312.
—— John, 316, 323.
—— William, 323.

Wadsetters, book of, for county of Aberdeen, 424.
Waghorn, Peter, 302.
Walcar, Sir William, chaplain, 335, 400.
Walchop, Meg, 316.
Waldy, 312.
Walker (Walkar), Andrew, 312.
—— Master John, parson of Kinkell, 143, 144.
—— Robert, 313.
Wallace, Christina, 313.
Walter, king's chaplain, 5.
—— steward of Scotland, 12, 15.
Walterson, John, 313, 315.
Wan, Robert, 312.
Wardhouse of Aberdeen, register of, 421.
Waste places, licence to feu, 96, 122.
Water, bringing in of, to burgh, contract for, 395.
—— expense of bringing into town, 279.
Waters, grant of, 13; confirmed, 160, 168.
Waterworks, acts authorising construction of, 284, 285, 286.
Watson, George, 72, 74, 75, 342.
—— Thomas, mason, Old Rayne, 392.
—— William, 315.
Wauchop, Robert of, 293.
Waulkers, excluded from merchant guild, 7.
Waus, David, vicar of Banff, 398.
—— Sir John, chaplain, 399.
Waynefurd, the, 340.
Wear, John, 353.
Weavers' enactment books, 423.
—— excluded from merchant guild, 7.
Webster, Andrew, 313.
—— John, 315.
—— Robert, 315.
—— Thomas, 312.
Weights and measures, grant of, 13, 130, 138, 172; power to search and try, 186, 187.
Wemyss, earl of, vice-admiral, 395.
Wester Kirkgate, licence to feu, 95.
Westminster, writ dated at, 323.
Weston, Thomas, 321, 322.

Weyeem, Sir James, 360.
—— of Bogis, 363.
Wellhead, the, 338, 339, 340.
Whistleberry, 397.
White Friars, 391.
—— crofts of, 74.
White (Qwite), Mrs. Ann, mortification by, 404.
—— John, 313.
—— Thomas, 354, 355.
Whitehall, writ dated at, 205, 211.
Whitehead (Quithed), William, 314.
Whitelaw, Archibald, archdeacon of Moray, 32; archdeacon of Lothian, 34; subdean of Glasgow, 329.
Whittingham, lord, 360.
William, bishop of Aberdeen, 41.
—— king's chaplain, 5.
William the Lion, king, charters by, 3, 4, 165, 387, 388.
Williamson, Adam, 317.
—— Gilbert, 72.
—— John, 302, 313, 315.
—— Roger, 314.
—— Thomas, 313.
Wilson, Duncan, 149.
—— George, 149.
—— William, 149.
Wine, impost on French, Rhenish, and Spanish, 208, 277.
—— customs and imposts on, 392.
Windmill at Gallowgatehead, 128, 161, 170.
—— the old, 382.
Windsor, writ dated at, 295.
Winter, Strype, 338.
Wishart (Wischert), Walter, mortification by, 404.
Wood (Wod), Andrew, 365, 366, 389.
—— Andrew, of Overblairtoun, 389.
—— Andrew, king's advocate, 36.
—— John, of Balbegno, 366, 390.
—— Sir John, of Balbegno, 365.
—— Walter, of Balbegno, 366.
Woodhead, lands of, 203.
Womanshill, 72, 134, 163, 178.
Women debarred from holding feus of lands and fishings, 50, 64.
Wormet, John, 315.
Wrecked goods, disposition of vice-admiral's right to, 395.
Wright (Wricht, Wrycht), Adam, 315.
—— Mr. Alexander, 400.
—— Andrew, 316.
—— Robert, wife of, 315.
—— W., 313.
—— William, 314.
Writs burned by the English, 101.
Wtdale, 316.
Wynton, John of, 293.

Yaird croft, 72.
Ydyll, Master Walter, 229.
York, clerks of the diocese of, 311, 312.
Young (Yhung), baillie David, of Brechin, 406.
—— James, 405.
—— Thomas, wife of, 313.
—— Mr. Thomas, notary public, 66.
Ysaac, Alexander, 388.
Ythan, water of, 394, 395, 397.

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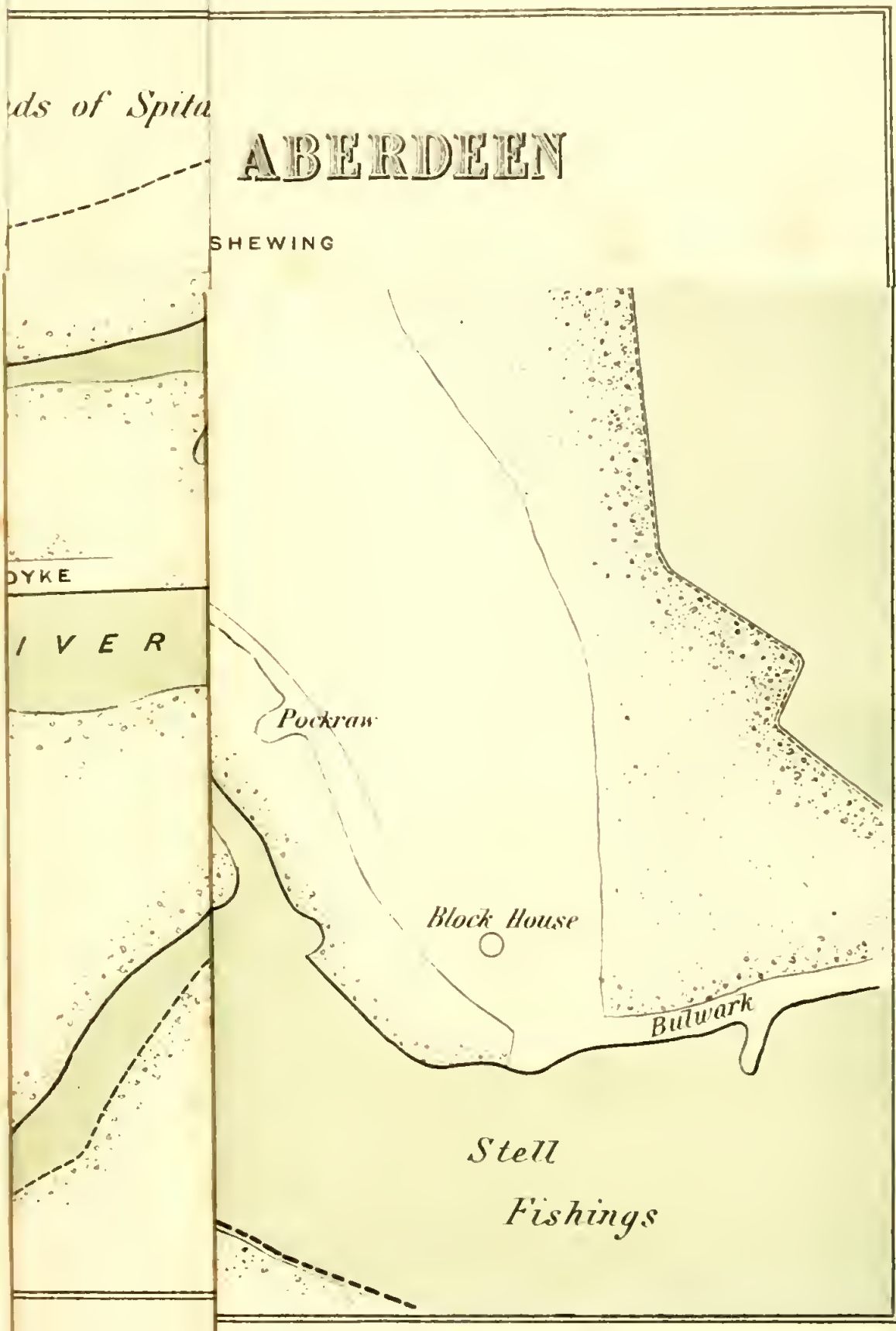
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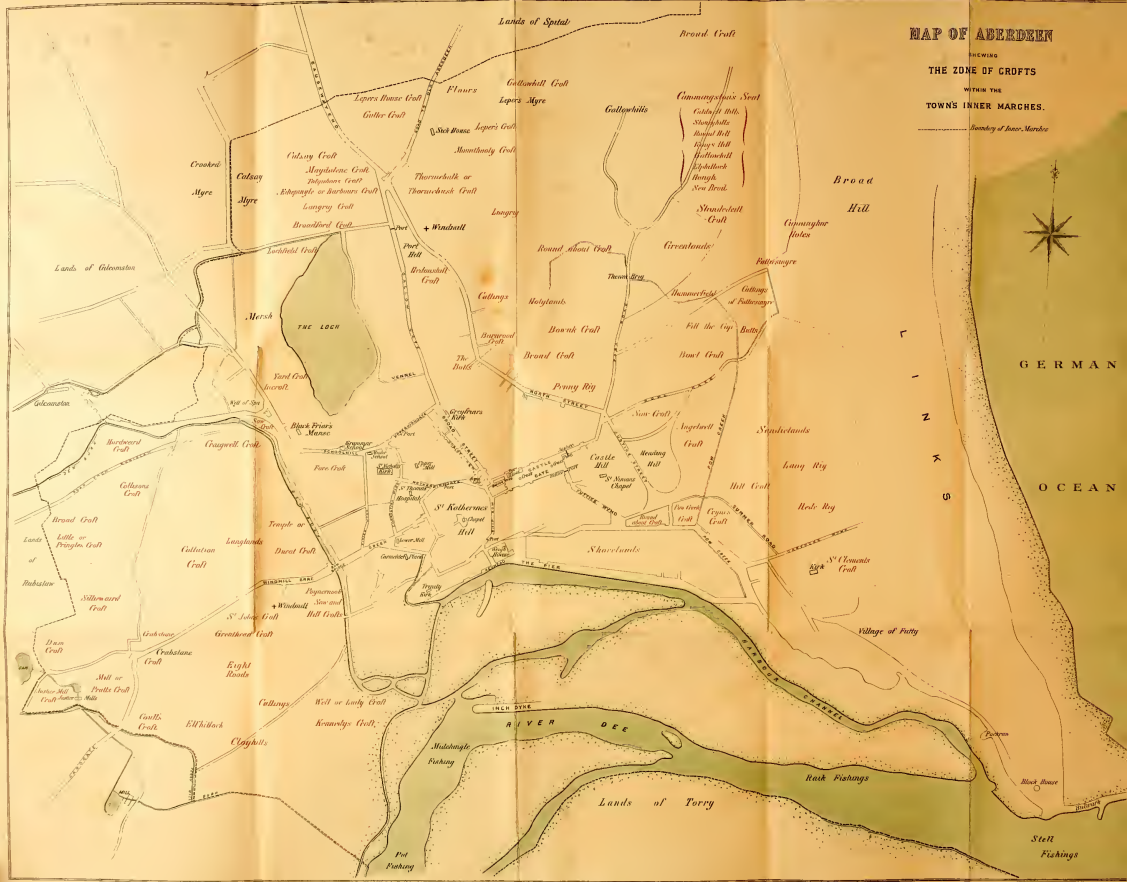
MAP OF ABERDEEN
SHEWING
THE ZONE OF CROFTS
WITHIN THE
TOWN'S INNER MARCHES.
Boundary of Inner Marches
Lands of Spital
Broad Croft
Gallowhill Croft
Flaues
Leper's Myre
Gallowhills
Cummingstoun's Seat
Gallowhill Mill
Shuttlehills
Bogfat Mill
Bishops Mill
Justicehall
Pyfellerhirn
Bough
New Brick
Leper's House Croft
Gutter Croft
Leper's Croft
Mountbanky Croft
Crookrid
Colsavy Myre
Colsavy Croft
Magdalene Croft
Polyphone Croft
Edinample or Barbours Croft
Thornerhaik or Thornerbrask Croft
Langreg
Langreg Croft
Broadford Croft
Broad Hill
Steadelstell Croft
Greenlands
Cunninghar Gates
Pittengree
Lands of Gilcomston
Lochfield Croft
Pool
Pool Bell
Windmill
Birkenshill Croft
Round About Croft
Thorn Brig
Thunnerfield
Cuttings of Pittengree
Cuttings
Hollylands
Merch
THE LOCH
Bogwood Croft
Hawick Croft
Fill the Cup
Bottle
Broad Croft
The Bottle
Yard Croft
Inverall
Penny Rig
Gilcomston
Black Friars Manse
Greyfriars Kirk
Broadford Croft
Craigwell Croft
Fore Croft
Kingsgate
Water Tower
Castle Hill
Meeting Hill
St Nicholas Chapel
Ingelwell Croft
Steadelands
Long Rig
Collisons Croft
Broad Croft
Temple or Lollie or Pringles Croft
Lands of Rubislaw
Langlands
Durat Croft
Gallowlaw Croft
St Katherines Hospital
Shuttlelands
Hill Croft
Hedg Rig
Portlethen Croft
Cryers Croft
Sillwood Croft
Poppermore
New Mill
Windmill
Mill Croft
St Clements Croft
Village of Futty
Dam Croft
Greathead Croft
Grahstane Croft
Eight Roods
Mill or Potts Croft
Cuttings
Well or Lady Croft
Gaults Croft
Ellishlaw
Kemedays Croft
Claghills
INCH SYKE
RIVER DEE
Muldonagie Fishing
Pot Fishings
Rock Fishings
Lands of Torry
Stell Fishings
Black House
GERMAN OCEAN
SANDS